

WEEK AHEAD  
I.C. in fall  
overaid  
to poor  
member



**LYNNE TRUSS**  
Still marching  
for Radio 4  
page 16



**MEDIA**  
Thuggish? Not me,  
says Ingham  
Section 2, page 30



**LAW**  
Why Helena  
Kennedy is wrong  
Law Times, page 35

**MUSIC**  
ON  
TUESDAY  
Page 29

# THE TIMES

No. 64,468 TUESDAY OCTOBER 20 1992 45p

## Heseltine retreats over pits in bid to buy off Tory rebels

By Philip Webster  
Chief Political Correspondent

IN THE most spectacular government retreat for 20 years, John Major and Michael Heseltine yesterday backed down on plans to slash the coal industry in half, but still left the government striving to avoid a Commons defeat tomorrow.

Succumbing to a national outcry and the threat of the biggest revolt of the Conservative government, Mr Heseltine announced a reprieve for two-thirds of the pits earmarked last week for closure.

British Coal will be allowed to go ahead with the closure of only ten of the 31 pits, and there will be a moratorium until early in the new year for the other 21, as the government consults interested parties, including the trade unions. The enquiry's results will be put to MPs for a vote. If the government's original judgment is confirmed, the closures will be phased, but several senior Conservatives hope the moratorium is a prelude to an even greater climbdown that will result in most of the threatened pits staying open.

The humiliating U-turn, coming so soon after withdrawal from the ERM, left the government's authority and Mr Heseltine's reputation for skilful political manoeuvring gravely damaged. It appeared to have headed off much of the revolt, but enough Conservative MPs were continuing to voice misgivings to leave doubts over the outcome of tomorrow's vote.

Several said that without further concessions from Mr Heseltine they would still vote against the government, and there was a feeling that the tone of his remarks suggested that the president of the board of trade believed that all the closures would eventually go ahead. Some MPs were demanding that the ten condemned pits should be included in the "review" while others wanted a full-scale independent review rather than one carried out by the government and British Coal. There were also demands for firmer assurances that the stay of execution would be used by the government to conduct a full investigation of the country's energy needs.

Robin Cook, the shadow industry secretary, asked: "If, as he claims, Mr Heseltine agonised over this decision for months, how did he come up with a decision which cannot even six days of public debate?"

Mr Heseltine had a torrid time in the Commons, where his oratorical talents have so often roused Conservative MPs. Only on Sunday, he was saying that there was no alternative to the closure programme, and there was inevitably a question-mark over his future last night.

The retreat became inevitable after soundings by whips



### THE DAY THE LEADERS ATE THEIR WORDS

**'It is simply unfair to the people in this industry to go back on the decisions which have been made'**  
HESELTINE, October 17, defending the closure programme

**'The Government recognises the concern at the speed of the rundown and about the very great difficulties it would cause to the communities involved'**  
HESELTINE yesterday

**'If it could have been avoided we would have avoided it'**  
JOHN MAJOR, October 16, justifying the 31 pit closures

**'We are perhaps too close to the detail to realise the extent of the shock caused by announcing all these closures at one time'**  
JOHN MAJOR, yesterday at emergency cabinet meeting over pit crisis

**I have not got any alternative answers to the problem'**  
HESELTINE, October 18, resisting calls for a review

**'British coal should be allowed to proceed with the closure of only 10 pits'**  
HESELTINE, outlining his climbdown to the Commons



### Rate cut likely as pound tumbles

By Lindsay Cook

THE pound fell to the lowest level ever recorded by the Bank of England yesterday morning before recovering slightly after the government's climbdown on the pit closures.

The pound's trade-weighted index closed at a record low of 79.5. This level was the lowest since the Bank of England started calculating the index in 1975. The previous low before this month was in October 1986.

Sterling closed against the dollar at \$1.0287 — three cents down on Friday's close. It ended at 2.42 against the mark down from 2.4475 on Friday. Several international investment managers said that the U-turn on monetary and industrial policies may have come too late to revive the economy.

However, there was no sign of panic selling of sterling. Analysts almost unanimously expect another sharp cut in British interest rates.

Unemployment is accelerating in London and investment is being cut, according to the London Chamber of Commerce and Industry. A survey of 285 firms showed that more than a third had reduced staff in the third quarter of the year.

The Department of Employment said the jobless figures rose by 5.3 per cent in the third quarter in London compared with 4.4 per cent in Britain as a whole.

Lloyds Bank is to close its merchant bank subsidiary and pull out of corporate finance after a string of disappointing results. It will wind down Lloyds Merchant Bank over the next two years with the loss of 50 jobs.

Lloyds Investment Managers, which handles funds worth £7 billion, and Lloyds Bank Stockbrokers will become part of the bank's corporate banking and treasury division.

Pound falls, page 21  
Lloyds quits City, page 21

confirmed that the government would be heavily defeated tomorrow if it pressed ahead with last week's plans. Mr Major, who on Friday insisted there should be no going back, summoned a meeting of cabinet ministers on Sunday night. They agreed that the economic case for closing the pits was unanswerable, but also agreed that the way the decision had been taken and announced had been damaging. Mr Major said ministers had underestimated the shock that would be caused by announcing the closure programme all in one instalment. The revised closure package was settled and was put to the full cabinet yesterday at an emergency meeting lasting nearly three hours.

Mr Major then went to a lunch with the executive of the 1922 Committee, several of whose members had issued dire warnings of the dangers of carrying on with the programme. He gave them a preview of the announcement



million in assistance for the affected areas and, to Labour  
Continued on page 2, col 6

Full analysis, pages 2, 3  
Parliament, page 4  
Peter Riddell, page 16  
Leading article, page 17  
Give coal a chance, page 22

### Review only a delay insists coal chief

By Ross Tieman, Industrial Correspondent

THE chairman of British Coal, Neil Clarke, last night warned that a government review of plans to close 31 mines would amount to little more than a stay of execution unless the government overhauled the market for power station fuels.

"Unless that changes, the market for British coal is finite," Mr Clarke said. Only if there was "an enlarged market" could a larger coal industry be sustained.

Mr Clarke said the corporation had negotiated the "maximum of coal sales available" under the present market regime. The closure programme, involving 30,000 jobs, had been taken up after a series of extremely thorough reviews.

There was little likelihood that any of the 10 pits named by Michael Heseltine, president of the board of trade, for review would be saved. Their high costs made it "extremely difficult, not to say impossible, for them to survive," he said.

In a rare show of unity for an industry renowned for its confrontations, Arthur Scargill, president of the National Union of Mineworkers, used the same phrase "stay of execution" and called for an independent review of the industry's future.

Roy Lynk, leader of the Union of Democratic Mineworkers, also called for a public enquiry and pledged to continue his underground protest at Silverhill colliery, near Mansfield.

### Princes left £1,000 in earl's £88m will

By Lin Jenkins

PRINCE William and Prince Harry have been left £1,000 each by their grandfather Earl Spencer in his will, worth more than £88 million, which was published yesterday.

The eighth earl, Edward John Spencer, who died in March, left instructions that his daughter, the Princess of Wales, and her two sisters should be given mementoes to be chosen by the executors. His widow and second wife, Raine Countess Spencer, receives an annuity of £10,000, one of her husband's cars of her own choice, the contents of his London Mayfair home, the contents of two houses in

### Queen focuses on friendship

FROM ALAN HAMILTON IN BONN

AGAINST a background of Anglo-German bickering of mounting disquiet at home and of German hotels refusing to exchange tourists' pounds, the Queen took centre stage last night to dispel the notion that Britain is a nation of curmudgeonly off-shore islanders and of worthless paper currency.

At a banquet on the first day of her state visit to Germany the Queen told Richard von Weizsäcker, the German president, and a gathering of German nobility from Boris Becker to the president of the Bundesbank, that the present difficulties between the two countries must not be allowed to cloud their long-term relations or the wider European ideal.

"British-German friendship is a living reality," the Queen said, amid the flamboyant baroque of the Schloss Augustsburg, an 18th-century residence near Bonn visited by Queen Victoria in 1845.

"Like all close friends, we do not always see eye to eye but, as friends should, we try not to let the sun go down on our quarrels."

The European Community was a success story, as was evident from the number of applicants waiting to join. In a speech reflecting last Friday's Birmingham summit, the Queen said: "The British presidency is working to build on that success, developing a community of all 12 member states, which draws on the strength of each, which meets the needs of their people, listens to their anxieties and responds to their wishes — a community which is open to the rest of Europe and to the world."

"Building the European Community has never been easy. Nor, as so much of our continent emerges from a dark age, has it ever been more important."

Speeches by the Queen abroad bear the stamp of Downing Street and the Foreign Office. Last night she pursued the same theme that she has expressed to the

Continued on page 2, col 2

## Airline of the Year 1992.

In addition to winning the Airline of the Year award for the second year running, we were also voted Best Transatlantic Airline Best Business Class, Best Long-Haul Airline, Best Inflight Entertainment, Best Airline Ground and Check-in Staff, and Best Food by the readers of Executive Travel Magazine.

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# President seeks political salvation from the born-again Walker

MICHAEL Heseltine looked rattled yesterday. "Stop being so plain bloody stupid," he shouted at Labour hecklers, after he had unveiled to MPs the two components of the government's new industrial policy: Lord Walker, and a moratorium.

"I have decided," said Heseltine, "to appoint a distinguished national figure... to act as co-ordinator and facilitator at the national level". Ah, we thought, Paul Gascoigne—probably the only national figure capable of commanding respect from all sides. But it was not Gascoigne. Mr Heseltine paused, teasingly. The House held its breath. "Oh Lord"—a score of silent prayers

winged their way heavenward—"not her". Horrifying pictures of the Baroness Thatcher posing all over the Midlands in miner's boots and pearls, shot through our minds. No, surely not her.

Who, then? Gascoigne? Too soon, surely, to bring Mellor back? Or could Cilla Black get British Coal and the Electricity industry to cuddle up to each other again, as they used to in the good old days?

Mr Heseltine interrupted our reverie: "I am pleased to tell the House that Lord Walker has accepted this important responsibility." The Opposition benches rocked to the roar of Labour MPs. I have to report that the prevailing note was neither of approval nor

## POLITICAL SKETCH

Matthew Parris

outrage, but hilarity. The trouble with Lord Walker, who is 60, considered as an element of our new industrial policy, is that some decades away he was our old industrial policy.

The trouble with a moratorium is that it's a long Latin word imperfectly understood by today's MPs, easily confused with crematorium. It has a dire sound.

The Tory benches sat almost silent, little smiles—sour or embarrassed—ill-concealed.

Some among them, the optimists, thought Mr Heseltine meant a review. Many used that term in their questions. They assumed he would be thinking again and, full of hope, reminded him of arguments in favour of not closing so many, or any, pits. "A very profound review," pleaded the Nottinghamshire's Jim Lester (C. Broxtowe), "a very important review, covering all aspects of the question". He meant "and reversing your first decision".

But the president never said "review". The task of the moratorium, he said, "is to provide for the House the evidence... We shall see how unavoidable those decisions were".

Some Tories were unconvinced that this meant a review. An enquiry from Teddy Taylor (C. Southend E) bristled with hostility. Stammering, Heseltine replied: "My hon friend has asked a number of questions."

"That's what we're here for," shouted a Labour backbencher.

Sir Teddy was not the only Tory Euro-sceptic to attack. So did Bill Cash, who has a doomed mine in his Stafford constituency, and Sir Rhodes Boyson, whose Brent constituency is not known for its coal pits. "There can be no case," Heseltine told Winston Churchill, "for saying you've got to keep uneconomic pits going." We looked around for the farms minister to see how this sort of economics was going down over at the ministry of agriculture, but, strangely, Mr Gummer was absent from the front bench.

Labour's Robin Cook, responding sternly, achieved a grimly sub-Churchillian note. Heseltine himself looked and sounded battered but on board. Opposition MPs just about succeeded in concealing glee beneath outrage. The Tories looked glum.

So would you, if you knew their

postbag or the battering they've had in their constituencies. Tony Benn chose a metaphor as apt for the beleaguered Tories as for the redundant miners: "It's the brutality of it," he said. "A terrible situation which we've all had to go through in the last few days," he told us, "when you must make the difficult decisions in government." His party rather thought that there comes a point, too, when you mustn't.

## Bruised Heseltine survives to fight again another day

Has Michael Heseltine been guilty of arrogance or set up by his enemies? There was no shortage of theories about his future after his performance yesterday

By NICHOLAS WOOD AND NICHOLAS WATT

A LOOK of horror crossed the face of a Downing Street official yesterday at the sight of a solitary Michael Heseltine strolling towards his car while a cabinet meeting was still under way.

As a note was hurriedly passed across the meeting, one thought was uppermost in the minds of the onlookers. Was the president of the board of trade about to revisit 1986 and his sensational walkout from Margaret Thatcher's cabinet over Westland?

In fact, he left early to prepare for the memorial service to his friend, Peter Jenkins, the political columnist who died in May. But with his critical Commons statement looming, even a church could offer no sanctuary. Uninten-

## MAN IN THE FRONT LINE

tionally perhaps, the lines he read from John Donne encapsulated both his personal beliefs and his personal plight.

The final words from the lesson were apposite in view of the ordeal ahead. "Never send to know for whom the bell tolls. It tolls for thee."

By now the bell was indeed tolling for the trade president. He had only a few hours to prepare for his Commons statement yesterday announcing a big government climbdown in the face of mounting opposition inside and outside Parliament.

The cabinet was hoping that their most persuasive and indomitable advocate could put the best possible face on the third disaster to strike the government in less than a month. Not so much a U-turn, more the longest swerve in history, as one rattled backbencher put it yesterday. With Tory MPs openly calling for his head, Mr Heseltine was hoping that he could save his political skin. The instant verdict last night was that a battered and bruised trade president had lived to fight another day.

At Westminster, there was anger and bemusement that the cabinet's one real star could have been the author of such a catastrophe. At Brighton, only a couple of weeks before, junior ministers had been queuing up to tell all and sundry of Mr Heseltine's acute political antennae and his ability to detect and defuse an incoming political Exocet long before it crossed the horizon.

How could he of all people have been so blind to the political consequences of peering through 30,000 people onto the dole in the midst of the worst recession since the 1930s?

The conspiracy theorists were quickly into their stride. Mr Heseltine, said by his friends to still harbour hopes of leading his party, had deliberately engineered the

latest crisis in order to undermine John Major further and to advance the chances of a contest in the near future. Hence his cavalier approach to a decision-making process in which the cabinet was never formally consulted and in which he told the cabinet's overseas and defence policy committee of his impending announcement later that day as an afterthought at the end of the meeting.

An alternative version of the conspiracy theory is also doing the rounds at Westminster. Under this rival hypothesis, advanced by the trade secretary's friends, he has been set up and left to carry the can for an unpopular decision bearing the fingerprints of the prime minister and all the relevant senior ministers.

That leaves only the cock-up theory: that ministers, Mr Major and Mr Heseltine included, blundered into the announcement without appreciating that it would unite Arthur Scargill, the Archbishop of York and the 1922 executive against them.

One MP with close ministerial links said he suspected that the combination of Maasricht, the whirlwind in the currency markets and the pressures of the EC presidency had so distracted Mr Heseltine and his colleagues that they had taken their eye off the ball. The ploy was that after black Wednesday, the cabinet had not repaired to Chequers for a weekend of thought and reflection.

For all that Mr Heseltine is a resilient figure. No one spends four years in the political wilderness then topples a prime minister without immense reserves of political stamina and guile.

If the government scrapes through on Wednesday, the more likely outcome Mr Heseltine will survive. If not, as Edwina Currie told him in the Commons, "there is life after coal".

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Leading article, page 17  
Give pits a chance, page 22

## Queen focuses on long-term friendship with Germany

American Congress and to the European Parliament at Strasbourg. She quoted from a speech given by the German president in Oxford in 1988, in which he said that nobody could become a solid partner in a unified Europe if that would compel him to give up too much of what was close to his heart. "Mr president, I agree," she said. "But tonight I have my own message to you and your people. We British are Europeans. That means that we are your partners in the European Community, working closely with our friends and allies for prosperity and peace."

Earlier, under the brilliant autumn sky that the Germans call "the Kaiser weather", the Queen and the Duke of Edinburgh flew into Bonn, and were driven in a black Mercedes to meet Mr von Weizsäcker at his official residence in a leafy suburb.

The president, son of a high-ranking official in the foreign ministry of the Third Reich who opposed Hitler, accompanied the Queen, dressed in matching turquoise coat and hat, as she inspected an immaculate guard of honour to the jaunty tones of a Prussian military march. The duke, as is his habit, ap-

proached a watching crowd of children and addressed them in German. He appeared briefly mystified when they replied in English, saying that they were from the English school in Bonn.

At a private lunch the Queen invested the president with the Royal Victorian chain, one of the highest decorations in her personal gift, and gave him a silver statuette of the Berlin bear, some German watercolours from the royal collection, and copies of letters from Queen Victoria's eldest daughter, who married Friedrich Wilhelm III of Prussia. In return the president gave her a set of Meissen coffee cups, bearing scenes associated with her German forebears.

One guest who was significantly absent from the opening ceremonies was Douglas Hurd, the foreign secretary, who stayed behind for yesterday's cabinet meeting and caught up with the royal party later in the day.

Later, as she did on her two previous state visits in 1965 and 1978, the Queen laid a wreath at a cemetery for German victims of two world wars and of other internal tyrannies. During an afternoon visit to the new Bonn

Gallery of Modern Art she was greeted by a large and enthusiastic crowd, all of whom had apparently been able to find space to watch her without rising at dawn to reserve their places.

German press reaction to the visit remains overwhelmingly warm and favourable, a reflection of the country's near-messianic attachment to a unified Europe. *Bild*, the country's largest selling daily and its nearest equivalent to *The Sun*, commented yesterday that the first state visit by a British monarch to a unified Germany since the days of Kaiser Wilhelm was meant "to send a signal to counter petty rows about the pound and the Deutschmark. Europe is two important to fail because of political topics of the day".

Later last night the Queen and the duke retired to their quarters in the Petersberg, a grand hilltop hotel overlooking the Rhine which counts among its historic guests Neville Chamberlain, on his way to collect a piece of paper in 1938. One mark of the new Germany is that, unlike in Basil Fawcett's dining room, it is now perfectly acceptable to mention the war.

Photograph, page 6



Dining à la carte: Sir Marcus Fox, who was criticised by members of the executive, and Dame Jill Knight

## Prime minister gives top backbenchers a grilling at their anniversary lunch

By JILL SHERMAN  
POLITICAL CORRESPONDENT

THE prime minister gave senior backbenchers a dressing down yesterday for failing publicly to back the government when it most needed their support. During a 90-minute lunch at the Carlton Club in St James's, John Major made it clear that he was unhappy with senior members of the 1922 executive committee openly criticising policy.

His comments were said to be particularly directed at Sir Marcus Fox, chairman of the 1922 committee, who described the scale of the pit closure programme as unacceptable. Sir George Gardiner, Sir Rhodes Boyson, Sir John Durand and Sir John Hannam, who have all spoken out against the closures.

While Mr Major was given the grilling he expected over the ill-timed pit closure programme, one backbencher

## 1922 COMMITTEE

said the tables were turned on government policies.

Sir Marcus would say nothing about the lunch apart from disclosing what was eaten. Over salmon mousse, lamb chops and chocolate cups Mr Major reassured the executive that the government had taken their views on

board when framing yesterday's review.

Most of the 18 executive members felt the statement was enough to secure their support during the Commons debate tomorrow but they were divided about whether it was enough to stave off defeat. By the weekend it was clear that several members would either vote against or abstain. Sir Rhodes Boyson was the only member of the executive who was publicly still unhappy after the statement.

The lunch, to celebrate the seventieth anniversary of the 1922 backbench committee, was delayed due to Mr Major's late arrival. Flanked by Sir Marcus and Dame Jill Knight, Mr Major waited till after the first course before giving details of the revised package. He admitted the issue had been handled badly and in a frank exchange the backbenchers charged him with poor communications and ineffective leadership.



Outspoken executives: Sir George Gardiner, left, Sir Rhodes Boyson and Sir Tony Durant

## Hardcore still not won over

By SHEILA GUNN  
POLITICAL CORRESPONDENT

A HARDCORE of Tory critics appears to be intent on rebellion in spite of Michael Heseltine's concessions yesterday.

Richard Shepherd, MP for Aldridge Brownhills, said he was not

## REBELS

appeased and would vote against the government.

Elizabeth Peacock, parliamentary private secretary to Nicholas Scott, social security minister, and Winston Churchill, MP for Daventry, said all condemned pits had to be included in the review.

Sir Rhodes Boyson (Brent North) and Hugh Dykes (Harrow East) both remained critical and Bill Walker (Tayside N) said his price for support would be the resignation of Mr Heseltine.

## Heseltine climbs down to halt revolt

Continued from page 1

decision, said that former energy secretary Lord Walker—who was in office during the last miners' strike—would co-ordinate the aid package. At one point Mr Heseltine's patience snapped in the face of an unrelenting barrage of harracking and jeers, and told chanting Labour MPs to "stop being so plain bloody stupid".

He appeared shaken by the hostility that confronted him, and last night rightwing Tory MPs who have never forgiven him for his role in Margaret Thatcher's downfall continued to call for his head.

Asked last night whether he had done enough to stave off defeat, Mr Heseltine said: "I put the best case I could to the Commons. I hope my colleagues will respond to that. I am told that a number of them will."

But both in the Commons and outside, Tory MPs were saying that Mr Heseltine had not gone far enough. Hugh Dykes (Harrow East) warned him that unless he put the ten into review with the others, "you won't carry the House of Wednesday".

Winston Churchill (Daventry), who has led the rebels, demanded a moratorium for at least 90 per cent of

the closures before he could support the government. Elizabeth Peacock (Baitley and Spenn) said there was still a lot of unease among Conservatives, and the next 48 hours would be crucial. Later she said that if the review did not cover all 31 pits, she would still vote against the government.

But John Watts (Slough), chairman of the Treasury Select Committee, thought Mr Heseltine had done enough to stave off defeat.

Labour intends to flesh out the remaining Tory rebels with a motion for tomorrow's debate calling for an energy policy review and for the moratorium to cover all the threatened pits. Its motion says there should be no closures until the Commons trade and industry select committee reviews all the costs and benefits.

The TUC called the statement a "massive climbdown" but said next Sunday's protest rally should still go ahead. Norman Willis, the general secretary, said Mr Heseltine's announcement was no genuine moratorium.

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Peter Riddell, page 16  
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Give coal a chance, page 22

## Force of numbers led Major to admit defeat

By PHILIP WEBSTER  
CHIEF POLITICAL CORRESPONDENT

JOHN Major was frank with his cabinet colleagues when he called them to Downing Street for a special meeting on the coal crisis at 6.30pm on Sunday. The meeting set in motion the biggest climbdown of his premiership.

The government had made a mistake. Ministers had been so bound up with the details of the pit closure announcement that they had failed to anticipate the shock that would be created across the country at the news that

## CLIMBDOWN

they were closing half the pits and throwing 30,000 men on the dole. "Our perception of the effect of the announcement on the public turned out to be wrong," a senior government official said.

The meeting was attended by the most senior members of the government: Norman Lamont, Douglas Hurd, Kenneth Clarke, Michael Heseltine, Michael Portillo, Lord Wakeham, Gillian Shephard, David Hunt and, most significantly, Richard Ryder, the chief whip. Mr Ryder had already told Mr Major that he would be defeated on Wednesday if he stuck with the closure plan.

In a series of television and radio interviews on Sunday, Mr Heseltine and other cabinet colleagues had tried to hold the line. "I do not think there is a case for changing the recommendations I have made. The case is unanswerable in economic terms," the board of trade president said. It was a last-ditch stand.

Mr Major had already tried to defuse the revolt on Friday, taking the unprecedented step of staging a personal press conference at the end of the European summit in Birmingham.

The impact of the 1 per cent interest rate cut announced



Ryder: warned Major of impending defeat

that morning was swallowed up in the row about which ministers had made the mining decision. The summit had become completely overshadowed by the crisis.

After swiftly summing up the summit's conclusions with Jacques Delors, Mr Major bade farewell to the European Commission president and announced that Mr Heseltine would be coming forward on Monday with a package of restraining measures for redundant miners.

If he had any hopes that it might have been enough to still the rebellion, they could not have lasted for long. Normally sympathetic newspapers were united in calling on him to think again. Conservative MPs were deluged with protests in their constituencies. They called their regional whips to tell them that they could not support the government.

It is unlikely that Mr Ryder needed a calculator to determine the scale of the likely defeat if the government pressed ahead. He was said by officials yesterday to have given a "very realistic" assessment to the meeting.

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# Backbenchers warned of outcry last year

By ROSS TIEMAN AND PATRICIA TEHAN

The energy select committee tried to impress on ministers 14 months ago the value of ensuring the place of coal in providing for Britain's long-term energy needs

THE upsurge of public disquiet that forced the government to suspend plans to close up to two-thirds of Britain's coal industry was forecast by backbench MPs more than a year ago.

Members of the energy select committee warned ministers in a report published in July last year that the market for coal was being destroyed and that irreversible damage threatened the industry. Their concerns were publicly reiterated in March this year in a subsequent report that was highly critical of the government's electricity privatisation measures. Ministers failed to respond effectively to either report.

The strongest warning was contained in the July report, *Clean Coal Technology and the Coal Market After 1993*, from the energy committee. It called on the government to develop a national energy strategy to see Britain into the next millennium.

The committee gave a warning against coal industry cuts based on the short- or medium-term strategies of the electricity generating industry. Market mechanisms alone could not guarantee generators would take the right decisions about long-term energy sources, the committee said. If they got it wrong, consumers, and the nation, would pay the price.

With extraordinary foresight, the committee concluded: "If a significant proportion of the UK's coal reserves were abandoned, which we hope will not happen, resulting in a major reduction of long-term energy security, the government should understand that the country would see this not as a commercial decision, but as a largely irreversible decision of historic significance for the UK."

The committee highlighted

the ability of the United Kingdom coal industry to provide long-term stable prices, unaffected by exchange-rate fluctuations. Since "Black Wednesday", September 16, sterling has declined against the dollar by 12 per cent. This makes competing supplies of imported coal, plus oil and gas, which are priced in dollars, much more expensive.

The committee said: "A long-term view needs to be taken of the value of having a substantial indigenous coal industry offering secure supplies at stable prices, and of coal's place among other fuels in providing for the country's long-term energy needs."

The report also savaged the government for refusing the

investment necessary to protect Britain's world-leading position in the development of clean coal technology. New ways of burning coal at higher temperatures are seen as crucial meeting tougher environmental protection guidelines.

The energy committee repeated many of its concerns after a further enquiry last winter into the working of the privatised electricity regime.

In evidence to the power industry enquiry, Malcolm Edwards, the former commercial director of British Coal, predicted a cut in coal purchases by the generators to 20-40 million tonnes, with drastic consequences for the mining industry.

New coal contracts have still to be signed. But it was the sharp cuts in purchases signalled by the generators which precipitated the government's attempt to shut 31 pits, with the loss of 30,000 jobs.

The committee's report, *Consequences of Electricity Privatisation*, said "electricity

consumers will gain little or nothing from a precipitate rundown of the British Coal industry". It recommended that British Coal be given "a fair opportunity" to compete to generate power using its own coal in competition with the generators.

Speaking at the international coal traders' conference in Nice yesterday, Malcolm Edwards said: "There is a need for a thorough, independent and knowledgeable review of a major issue of national energy policy." Britain was in danger of sealing off access to much of Europe's best coal reserves for good if British Coal went ahead with the closures. "Millions have been spent on equipping these mines to the highest standards in the world. We should do everything to get value for that investment, not throw it away."

The government is understood to have given the two power generators of England and Wales approval to start running down their coal stocks. This is believed to be why the generators plan to cut their orders from British Coal over the next five years so drastically.

The signing of the contracts has been held up by British Coal and the generators work out how much coal is wanted and at what price, and the generators lean on the 12 regional electricity companies to take their share of coal-fired power. The contracts cannot be signed until the regional supply companies have agreed.

The generators are holding 32 million tonnes of coal stocks. British Coal has an additional 14 million tonnes. The generators urgently need to run down their stocks as their new gas-fired power stations come on line over the next few years.



Turned away: miners arriving at Silverhill yesterday. They were sent home

## Scargill and Lynk reject 'whitewash'

By KATE ALDERSON AND PAUL WILKINSON

ARTHUR Scargill, president of the National Union of Mineworkers, last night rejected the government's scaled-down pit closure plan and called for a full independent review of the future of the coal industry. His arch-rival of the great coal strike, Roy Lynk, leader of the Union of Democratic Mineworkers, also rejected Michael Heseltine's statement and vowed to continue his underground sit-in at Silverhill colliery near Mansfield.

Mr Scargill said the closures had merely been put off and his union's campaign to keep all the pits open would continue. He called on Mr Heseltine to resign.

He said: "I am disgusted with the reaction of Mr Heseltine and the Conservative government. He has indicated a delayed execution for 21 pits and immediate execution for 10. It does not in any way address the fundamental problem that we have raised."

Mr Lynk said he would remain underground at Silverhill at least until tomorrow's Commons debate. He described the statement as a "whitewash" which was designed to placate the Conservative back benches.

"It's just stretching things out," he said, speaking via a telephone inside the pit. "It's an insult to the intelligence of the people of Britain to the intelligence of the House of Commons and to the intelligence of the mine workers."

"I believe now, more than ever, that there should be a public enquiry to find out who is pulling the wool over whose

### UNIONS

eyes." David Bamford, 26, a miner for 12 years at Silverhill, said that while he expected the pit to shut, the fresh uncertainty had created an unbearable situation. "It's like waiting to be hanged. I would sooner the pit shut this week than drag the whole thing out."

Miners at Silverhill arrived for work yesterday morning but were turned away. A handful drifted back yesterday afternoon to try to find out if the pit would be working again. Alan Banerham, UDM secretary at Silverhill, said "We don't know if we are going into a 90-day reprieve. Miners will turn up for work at 8am on Tuesday and I expect we will know the outcome of all of this by Tuesday lunchtime."

Norman Willis, TUC general secretary, said that Mr Heseltine's announcement was "no genuine moratorium. All the miners have got is a stay of execution. This is a massive climbdown on tactics but there is clearly no climbdown on policy."

Alan Tiffin, president of the Trades Union Congress, said Mr Heseltine's statement was "a cynical attempt to save his political skin". He, too, urged an independent review of the country's energy needs.

He was joined in this call by Malcolm Edwards, the former British Coal commercial director. Mr Edwards urged the government to offer mines for sale or lease before shutting them down.

## Heseltine gives pits a stay of execution

THE changes to the British Coal programme of 31 pit closures, announced by Michael Heseltine, the president of the board of trade, yesterday appear to amount to little more than a temporary stay of execution (Ross Tieman writes).

British Coal will be allowed to proceed with the closure of ten pits, although this will not now take place until after the statutory 90-day consultation period.

Mr Heseltine said all of the pits affected were losing money, and "have no prospect of viability in the immediate future".

The pits affected are Vane, Tempest, Grimethorpe and Houghton Main, Markham Main, Trentham, Parkside, Cotgrave, Silverhill, Betws and Taff Merthyr.

All other closures and redundancies will be subject to a moratorium until "early in the new year". There will be no compulsory redundancies during this period, although voluntary redundancies will be allowed.

Mr Heseltine said the government would "set out the full case for the closures" during the interven-

ing period, and at the same time carry out widespread consultations. The consultations would also be announced early in the new year.

Mr Heseltine added: "If following this process, the government and British Coal's judgment is confirmed, then British Coal will proceed with a phased programme of colliery closures aimed at reducing surplus capacity as soon as possible."

British Coal's chairman, Neil Clarke, has indicated that sales to the generating companies, which account for more than four-fifths of British Coal sales, are set to fall from 65 million tonnes this year to 40 million tonnes in the year beginning April 1, 1993.

In subsequent years they are expected to fall to 30 million tonnes, less than half their present level.

Malcolm Edwards, former commercial director at British Coal, said that if that destocking was slowed down it would allow British Coal to keep more mines open and more miners in work.

## Nuclear workers back coal

WORKERS in Britain's nuclear power industry have set aside their traditional conflict of interest with the miners to join the rejection of pit closures, raising the prospect of a joint campaign of industrial action to keep mines open (Ross Tieman writes).

Leaders of 10,000 workers at the state-owned AEA technology group and British Nuclear Fuels (BNFL) said that they would form local action committees this week, uniting workers in coal mining, the nuclear industry and power stations.

Union leaders fear that the heavily subsidised nuclear industry will also be run down and shut if the government succeeds in its plans to close 31 pits. Jack Dromey, national secretary of the TGWU, said that the government had scrapped Britain's traditional policy of generating power from coal, supported by nuclear and plants.

"They are coming for the miners, and unless we speak out, tomorrow they will come for workers in the coal-powered power stations. Then they will come for what's left of the nuclear industry."

## Aid chief is the obvious choice

By PETER RIDDELL, POLITICAL EDITOR

LABOUR MPs jeered in the House of Commons yesterday when Michael Heseltine said that Peter Walker—now Lord Walker of Worcester—would be the "distinguished national figure" to advise him and to act as "co-ordinator and facilitator at the national level" on providing assistance to areas affected by pit closures.

But, in many ways, Lord Walker is the obvious person for Mr Heseltine, president of the board of trade, to pick.

The appointment is a reversal of roles from the days of the Heath administration when Mr Heseltine served as a junior minister under Lord Walker. The two have been closely associated ever since then. They have both believed in an active government role in encouraging the revival of previously depressed and run-down areas.

Lord Walker, who takes his seat in the House of Lords tomorrow, was never identified with Thatcherism. He has always been an advocate of

One Nation Toryism with its emphasis on reducing social tensions and divisions. He was a former lieutenant of Sir Edward Heath, serving as his campaign manager in the Conservative leadership election of 1965.

He was also environment secretary and trade and industry secretary in the 1970-4 Heath government. But he served on the back benches during the Tories' period in opposition under Baroness

Thatcher's leadership before he joined her government in May 1979.

During 11 years as a member of the Thatcher cabinet until he retired in the spring of 1990, Lord Walker was a licensed dissenter, permitted to pursue interventionist policies as, successively, agriculture minister, energy secretary (during the miners' strike of 1984-5) and, finally, as Welsh secretary. He played an active

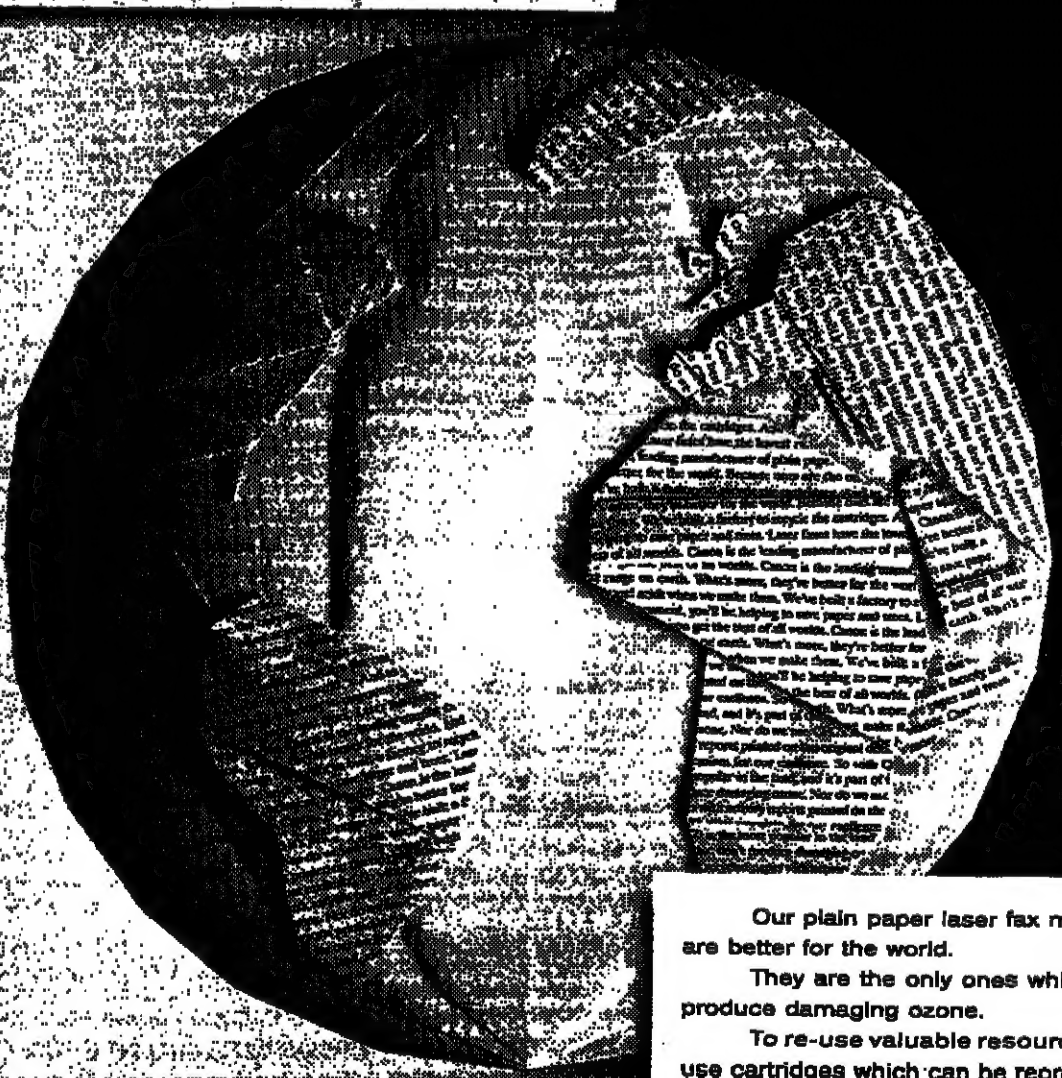
role, in conjunction with Labour-run local authorities in Wales, in helping to bring substantial new investment to rundown areas in the valleys.

Mr Heseltine, then environment secretary, had nominated Lord Walker—even before he left the Commons at the last election—to become head of the urban regeneration agency to co-ordinate government assistance to revive rundown inner-city areas. His new job as co-ordinator of assistance for mining areas will be very similar in its aim.

Lord Walker said last night that there was "a need to get a good team spirit between local authorities, government, industry and trade unions".

He said that he wanted "to try to do an analysis of the priorities and what tasks are needed to get new commercial and economic activities in the localities". Lord Walker is likely to prove as energetic a co-ordinator as can be found in the ranks of former ministers.

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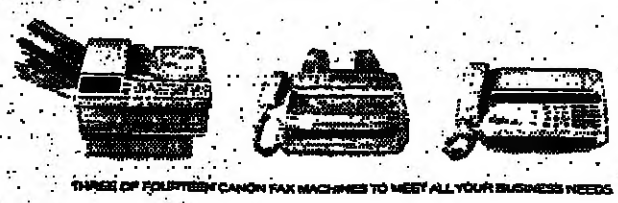
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## Commons told of rethink on the pace of pit closures

By ROBERT MORGAN, PARLIAMENTARY STAFF

BRITISH Coal is to impose a moratorium on 21 of the coal mines that were scheduled to be closed over the next few months, the Commons was told yesterday. But ten pits on the list are to shut.

Making the announcement to a packed and noisy House of Commons yesterday, Michael Heseltine, president of the board of trade, also outlined a package of measures aimed at alleviating the distress caused by the widespread loss of employment.

To shouts of derision from Labour MPs, Mr Heseltine announced that Lord Walker, the former Tory cabinet minister credited with doing much to rejuvenate the redundant coalfields of South Wales, will co-ordinate the assistance to the stricken areas. About £165 million of new money is being made available.

Mr Heseltine entered the chamber minutes before he was due to speak to hissing, and shouts of "resign" from the Opposition benches. The prime minister followed moments later to further shouts of "resign". Mr Major sat stony.

### HESELTINE

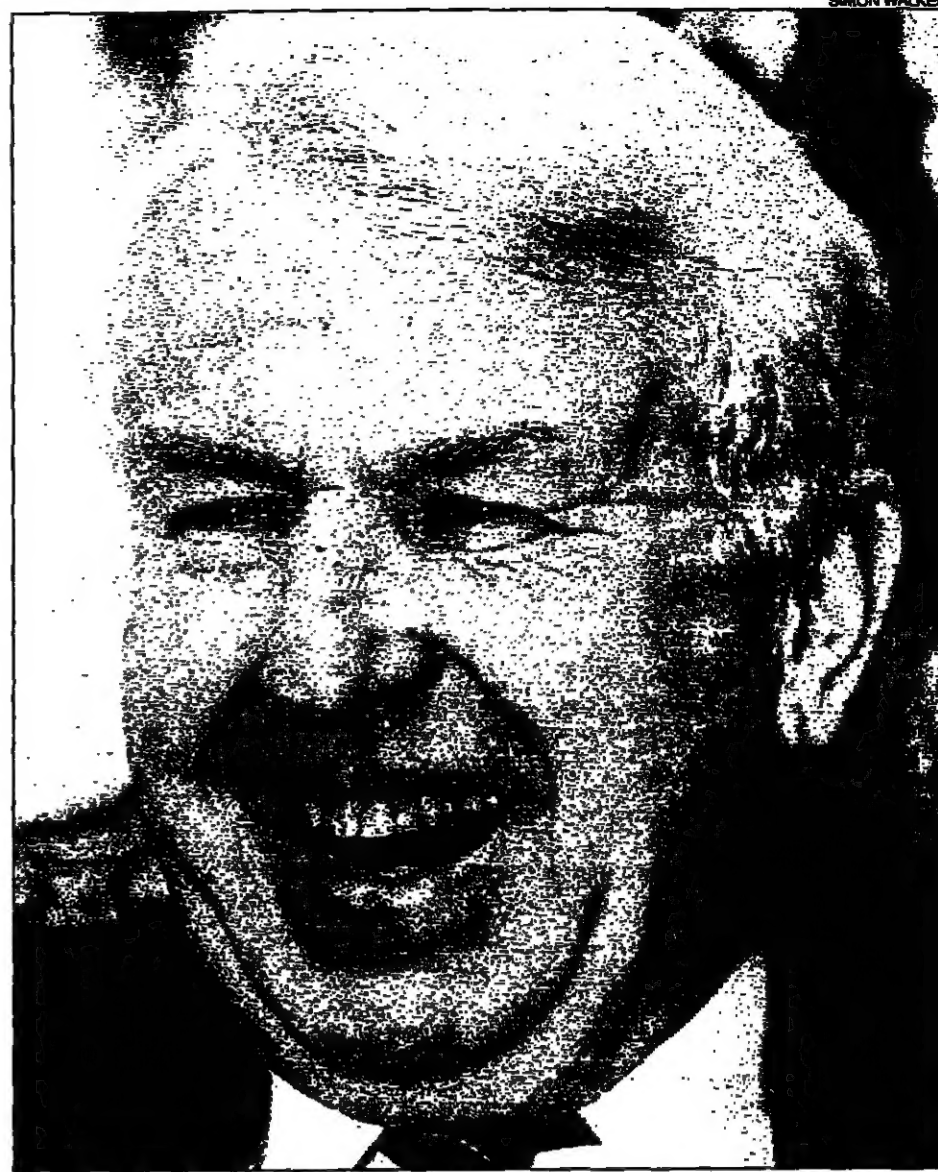
faced on the frontbench throughout the two-hour grilling of his minister.

Mr Heseltine said that British Coal was producing 88 million tonnes with 65 million going to the generators. It was unlikely that British Coal would be able to sell more than 40,000 tonnes after April next year.

"The economic case for a substantial reduction in capacity therefore remains compelling. Nevertheless, the government recognises the concern at the speed of the rundown and about the very great difficulties it would cause to the communities involved."

"We have therefore concluded that, for the time being, British Coal should be allowed to proceed with the closure of only ten pits which they have told me are currently loss-making and have no prospect of viability in the foreseeable future."

To loud protests from Labour MPs and cries of "shame" he said these were Vane Tempest, Grimethorpe and Houghton Main, Markham Main, Trentham, Parkside,



Coal face: Lord Walker yesterday, after he was appointed to co-ordinate aid

Cotgrave, Silverhill, Betws and Taff Merthyr.

No closure would take place until after the statutory consultation period.

In the case of all other closures and redundancies, British Coal would introduce a moratorium until early in the new year except for those which might be agreed by the workforce.

"We will carry out wide-spread consultation with all those concerned over the next three months. We will then announce our conclusions, following these consultations, to Parliament in the new year."

"If, following this process, the government and British

Coal's judgment is confirmed then British Coal will proceed with a phased programme of colliery closures aimed at reducing surplus capacity as soon as possible."

Mr Heseltine went on to outline the help he proposed to provide for the coalfield communities.

The government would be introducing enterprise zones in the areas where they will be most effective. A further £75 million additional money would be made available over the next three years with £10 million spent this year. Assisted area status, already announced for Doncaster, Barnsley and Mansfield,

would be extended to other areas affected by pit closures.

"I intend to extend the coverage of regional enterprise grants to all coal closure areas," Mr Heseltine said.

Michael Howard, the environment secretary, is setting up a coalfield area fund with up to £5 million. He is writing to local authorities asking for proposals on how the money can be spent to help those made redundant.

All the measures would put about £165 million of new money into the affected areas. "I know that this will make a major impact in transforming the economies of these areas," Mr Heseltine said.

## Labour demands independent enquiry

By ROBERT MORGAN

ROBIN Cook, the shadow trade and industry secretary, was scathing in his attack on Michael Heseltine, when he gave his reaction to the moratorium and the package of measures to help the coalmining areas.

"Does Mr Heseltine think the past seven days have enhanced or reduced the credibility of the government?" he asked to cheers and laughter from the Labour benches. He demanded that an independent enquiry be established and said that if the government did not establish one,

### COOK

Labour would table a Commons motion to allow the House to set one up.

Mr Cook said that on Sunday Mr Heseltine had told the nation that there was no alternative to his closure programme. "May I therefore congratulate him that by Monday he had discovered there at least might be an alternative closure programme."

"If, as he claims, Mr Heseltine agonised over this

decision for months, how did he come up with a decision which cannot even survive six days of public debate, and how was it that he approved a timetable for closure that could not survive three days of challenge in the courts?"

Could he explain, he added, why he ever approved a programme put forward by British Coal that involved breaking the law?

The delay in the closure programme that Mr Heseltine had announced did not measure up to what the nation wanted. The people who pro-

tested from Chesterfield to Cheltenham were not protesting about the timetable. "They were protesting at the closures and they want the closures stopped, not phased in," he said to cheers.

The people, Mr Cook continued, did not want money spent on retraining miners for the dole. "They want action to save the miners' jobs."

"His statement will be judged by whether it is a genuine attempt to save miners' jobs, or a manoeuvre to save ministers' jobs," he said to further cheers from Labour MPs. Today, he said, Mr Heseltine claimed that there was a clear economic case for the closures. On Sunday he had said it would lead to cheaper electricity. "Can he name a single independent expert who believes him?" The chief executive of PowerGen had said it would put up generating costs.

The remarkable thing about the statement was that it contained not one single proposal for action. Recalling Mr Heseltine's speech to the Tory conference, he said that only a fortnight ago he had promised to intervene before breakfast, before lunch and before dinner. Why did he not intervene now the way the German government intervened to help the German mining industry? Last week the German government came forward with a package to keep German pits open.

## Government fails to silence rebels

By ARTHUR LEATHLEY

TORY backbenchers quickly made Michael Heseltine uncomfortable aware that he had failed to curb opposition on his own side. The minister was pressed by Conservatives rebels for firmer commitments to mining communities and a comprehensive review of the coal industry.

Calls were made for an examination of the costs of producing British coal, the role of the electricity generating companies and the economic, social and strategic consequences of pit closures.

While the suddenness of the announcement drew particular criticism, MPs on both

### BACKBENCHERS

sides were adamant that they were opposed to the entire principle of closures.

Winston Churchill (Davyhulme), who has led Tory criticism, warned Mr Heseltine that he was unlikely to support the government in Wednesday's Opposition day debate on coal. "Unless you are prepared to assure the House that what you are offering is a thorough-going review of Britain's long-term strategic energy requirements and that, pending that, there will be a moratorium on at least 90 per cent of the closures, I certainly would find

it difficult to support your position in the division lobbies."

Hugh Dyles (Harrow East) told the minister that if he did not "undertake to put the ten pits into a total fundamental review ... then he will not carry the House on Wednesday night."

Several Tories questioned the wisdom of shutting down mines when they had become more efficient and criticism extended to the privatisation of electricity, which some claimed was at the root of the troubles. Robert Adley (Christchurch) said Mr Heseltine had no influence over the power generating companies' purchasing arrangements.

## Political writer's love of life recalled

By BILL FROST

Rich and affectionate tributes were paid by politicians and fellow journalists yesterday to the late Peter Jenkins, leading columnist with *The Independent* until his death last May. Some had scoured in print and others had been his rivals, but all had gathered to praise his lucid prose and love of life.

Michael Heseltine, president of the board of trade, told the congregation at St Margaret's Church, Westminster, of a close friendship with the columnist which began more than 45 years ago in south Wales. "I first met Peter at the end of the

last war in Swansea. I have no difficulty remembering the date because my father had just returned from overseas and had made me a canoe. Years later at a *Guardian* editorial lunch he told me he had never liked me because my canoe was bigger than his."

Mr Heseltine described Peter Jenkins as a political writer of rare and invaluable quality. "He enjoyed the trust of those he commented on and matched, if not excelled, their knowledge of the matter in hand. I will never forget the bravery with which he fought his illness and I miss his advice."

Julian Mitchell, a close family friend and television

scriptwriter, recalled the columnist's overwhelming enthusiasm. "I remember him lying on his back kicking his legs in the air and laughing uproariously over a game of croquet. I remember a person with a small boy's enthusiasm and a wise man's judgment. He was the only man I ever knew who even when depressed was depressed with gusto. His sudden departure, at the age of 58, was an outrage," he said.

Andreas Whittam Smith, editor of *The Independent*, said the newspaper had received more letters of regret after the death of Mr Jenkins than on any other topic before or since. "He

was a man of wonderfully varied talents, an influence for good and a journalist who enjoyed a remarkable rapport with his readers."

Lung disease had taken hold of Peter Jenkins like a tiger and dragged him down, his editor said. "However, he did not waver or complain. He wrote his column as usual right up to the last."

Former Tory ministers, Labour frontbenchers and Fleet Street political editors mingled outside St Margaret's after the service. George Melly, the jazz singer, recalled his old friend's love of life, conversation and the odd glass of champagne.

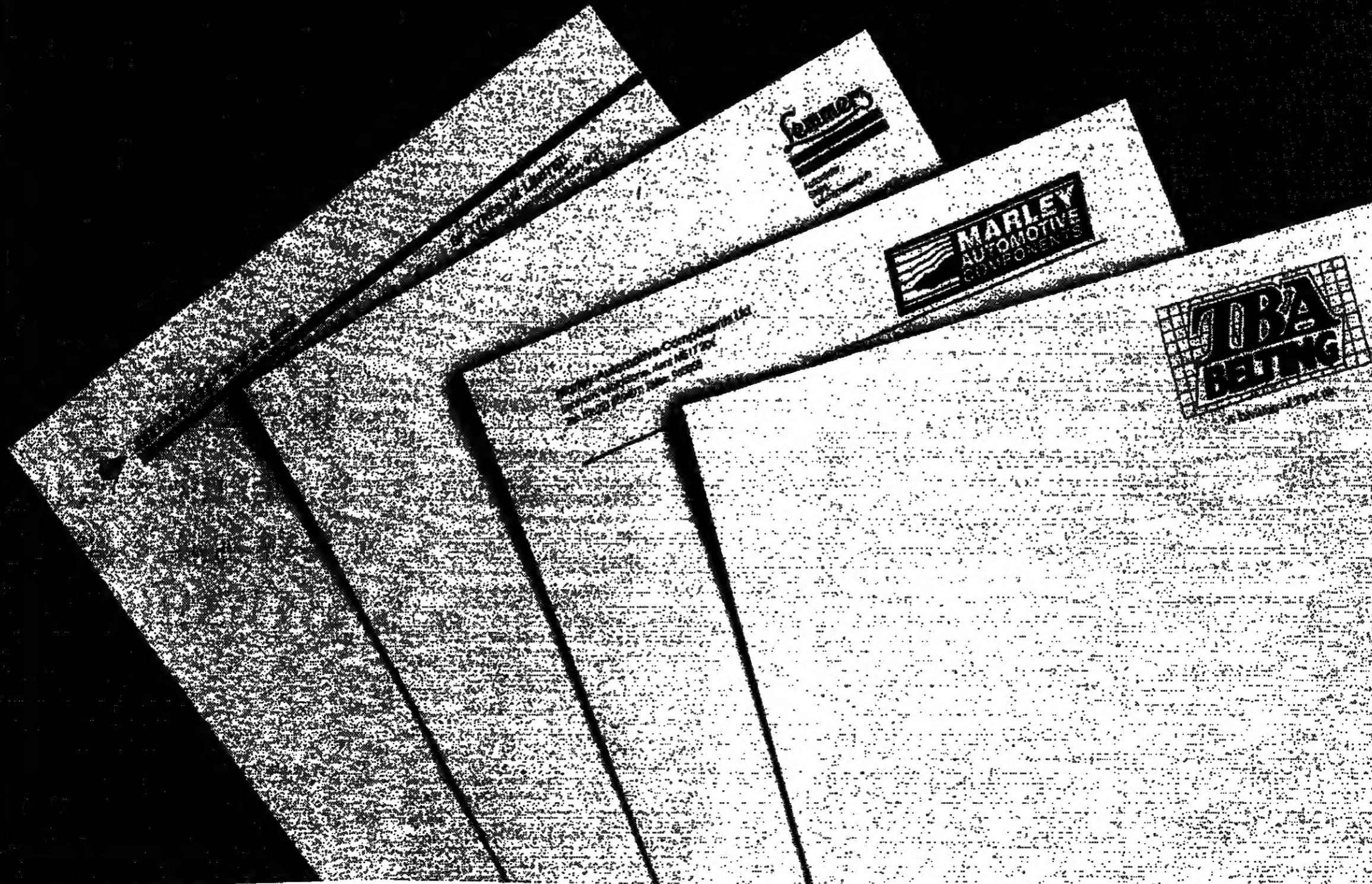
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## Mob storms dock during Nikki Allen murder case

By PAUL WILKINSON

PANDEMONIUM erupted at Sunderland magistrates' court yesterday when a mob stormed the dock holding a man accused of the murder of seven-year-old Nikki Allen.

The dead child's father was in a large group of shouting men and women who surged forward from their seats in the public gallery towards George Heron, 23, David Allen, 25, who was dragged by police over the dock's 5ft wall to prevent him being crushed by the crowd, which buckled 3in-thick brass poles.

The proceedings had finished and Mr Heron was being led to the cells after a three-minute hearing when the incident happened. One woman dressed in black sprinted to the rails of the dock and spat in the jobless bachelor's face.

Police had been warned of a possible demonstration at the court and had drafted in 15 officers to shield the dock of court number one from the public area. But they were overwhelmed by the sheer intensity of the uproar.

Earlier, a crowd of about 200 had gathered outside the building. Police searched everyone entering the public gallery. By the time Mr Heron appeared the gallery was crammed with more than 100 people. Supt Alex Price of Northumbria police said: "From information received in Nikki's neighbourhood we knew that there was going to

be some kind of demonstration in court.

"The man who was dragged into the dock was the father of the dead child and he was brought over the railings by officers for his own safety. There was a real possibility of his being crushed by the press of the crowd. No arrests have been made."

The defendant had stood handcuffed to two police officers as he was accused of murdering Nikki between October 6 and 9. Dressed in a brown jumper, white shirt and brown trousers, Mr Heron's voice was barely audible as he replied to his name and address. He made no answer to the charge when it was put to him.

George Dowell, for the prosecution, asked that Mr Heron, who lives in Hendon, Sunderland, Tyne and Wear, be remanded in custody for his own safety.

"He would be subject to great personal risk from the people in the Sunderland area," he said.

Peter Thubron, for the defence, made no application for bail and the case was adjourned until Wednesday, October 28. Reporting restrictions were not lifted.

Nikki's body had been found dumped in a derelict warehouse. She had disappeared as she walked home the few yards across the courtyard of a block of flats from her grandmother's apartment.



All smiles: the Queen is welcomed to Bonn by Richard von Weizsäcker, the German president, on the first day of a state visit seen by diplomats as an opportunity to end the war of words that followed Black Wednesday.

The newspaper Bild said yesterday that the Queen's presence signalled the end of petty rows about the pound and the mark. Die Welt claimed that both countries were now "banking on the Crown" to end recent tensions.

The visit also celebrates German unification. The Queen, accompanied by

the Duke of Edinburgh, will go to Berlin, which she last visited in 1987, when its wall was still standing. She will walk through the Brandenburg Gate into the former East Germany.

Healing the wounds, page 1

## Soames supports sausages

By MICHAEL HORNSBY  
AGRICULTURE  
CORRESPONDENT

NICHOLAS Soames, junior agriculture minister and son of a family noted for its heroic consumption of fine food, yesterday championed one of the pinnacles of British cuisine.

"We are the doughy guardians and champions of the British sausage," he declared.

Speaking at the British Sausage Appreciation Society, Mr Soames proclaimed sausages to be "a very healthy, nutritious food" — but would not say how often he ate them.

He predicted a big future for the British banger in the European Community's single market next year because "our standards are far higher than those which pertain in Europe".

German sausages must by law contain 100 per cent meat, defined as animal flesh. By contrast, the British pork sausage need not contain more than 65 per cent meat, of which only 80 per cent need be pork. Fat, skin, rind, gristle and sinew, in addition to flesh, may be included. Beef sausages are required to contain only 50 per cent meat.

The society, run on behalf of the Meat and Livestock Commission, has been formed to boost sales. Britons eat 278,000 tonnes of sausages a year including 85,000 tonnes eaten outside the home, but in the late 1970s home consumption alone was 290,000 tonnes.

## Bombers' warning gave wrong target

By STEWART TENDLER, CRIME CORRESPONDENT

A TELEPHONE warning before two IRA bombs exploded in London early yesterday was so vague that it put one of the targets in the wrong part of London, according to Scotland Yard sources.

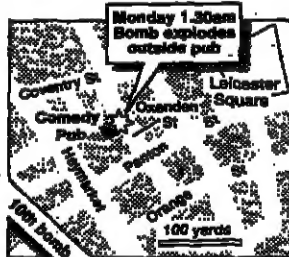
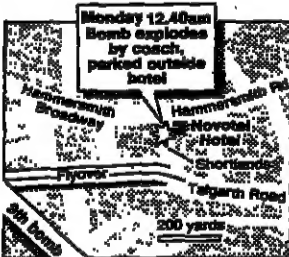
The bombs were placed under a coach by the Novotel hotel in Hammersmith, west London, and under a car in Oxford Street, off the Haymarket. A caller to a London radio station described the coach bomb, which exploded at 12.40am, as being in Paddington, several miles east of the actual site. The second bomb blew up at 1.30am.

Neither bomb caused any injuries. Each resulted in a small amount of damage. The Novotel held 600 guests at the time of the explosion. The coach seems to have been chosen at random.

The second bomb was close to the Comedy public house, which had closed some hours earlier. Several cars near the scene of the blast caught fire.

The latest bombings bring the total in the past two weeks to ten. Yesterday Commander George Churchill-Coleman, head of the Yard's anti-terrorist branch, repeated his call for the public not to be panicked. He said that the bombers could be caught if the public remained watchful and reported anything unusual.

The recent bombs are thought to be small, containing under a pound of explosive and a simple timer, that runs for less than an hour. The attacks are seen as the latest example of what one senior officer recently called "mix and match" tactics, intended to keep police constantly on their guard.



Bomb blast: police checking the car in Haymarket

## Anger over EC deal on maternity payments

By SHEILA GUNN  
POLITICAL CORRESPONDENT

PREGNANT women will be entitled to improved maternity leave under a deal sanctioned by EC ministers yesterday after the terms were heavily watered down by British ministers.

Gillian Shephard, the employment secretary, won approval for the limited improvement in maternity rights, entitling working women to 14 weeks' maternity leave on sick pay.

The deal removes the conditions, unique to Britain, which excluded women with less than two years' full-time service or five years' part-time service from maternity leave or pay. The change in the British law is expected to form part of this session's employment bill.

Labour condemned Mrs Shephard yesterday for rejecting the original scheme, which would have given all working women in the EC the right to 14 weeks' maternity leave on full pay. At present British women are entitled to six weeks' leave on 90 per cent of pay if they fulfil the length of service conditions.

Frank Dobson, the shadow employment secretary, said the EC law as drafted would have helped 350,000 women. "Instead, as a result of the wrecking efforts of the British government, the number of women who will benefit will be 16,000 and all they will get is sick pay," he added.

Marjorie Mowlem, Labour's minister for women, accused Mrs Shephard of becoming "very deceptive and economical with the truth" because of the employment secretary's pledge in the Commons, the election manifesto and the Tory conference.

## Home gas leak kills family of three

A woman found her daughter, son-in-law and four-year-old grandson dead yesterday after they had been overcome by gas fumes. The family had complained of feeling unwell on Sunday. Gas company investigators suspect that they were killed by carbon monoxide from a faulty central heating boiler.

Joyce Roberts, 51, made the discovery when she called at the semi-detached house in Warwick because she could not get through on the telephone. She smelt gas after walking through the front door. Susan Hay, 34, David Hay, 44, and their son Michael, were dead in the lounge.

Inspector John Bond, of Warwickshire police at Leamington, said that Mrs Roberts had learnt of the family's sickness at 10am on Sunday. "She then visited the house at around 5pm the same day but couldn't get any response after banging on the front door. She still couldn't get a reply on the telephone after going back home and decided to return to the house the following day with her spare key."

"When she opened the front door, she smelt gas but went inside to discover her daughter sitting on a chair and her grandson and his father slumped side by side on a settee. We are investigating the cause but are not looking for anyone else. It would appear that there was some kind of fault with a gas central heating boiler."

## Motorway hanging

A taxi driver was found hanged from a bridge on the M25 in view of drivers on their way to work yesterday. Henry Case, 58, left his home in Biggin Hill, southeast London, at 3am. His body was spotted four hours later suspended from the bridge at Westerham, Kent. Mr Case, who was married, had lost his job because of his arthritis and he also suffered timidity — a constant ringing in the ears. A traffic jam built up as police and firemen retrieved the body, and one driver crashed his car. Police said: "Thankfully the body was spotted and removed before it got too light, but there were still a lot of people rubbernecking to see what was going on. It appears to be a tragic suicide but there will be an inquest."

## 300th school opts out

A school in the prime minister's Hummingbird constituency yesterday became the 300th to be allowed to opt out of local authority control. Sawtry Village College was one of a batch of nine to become grant-maintained. Baroness Blatch, education minister, said: "Self-governing status will give it the power to decide on priorities for action and the financial control to put them into practice." The other schools were Salesian College, Wandsworth; Castle View, Cornhill; Verneydon and Appleton schools, Essex; Upton Grammar School, Berkshire; St Thomas More RC School, Stoke-on-Trent; Front Lawn Middle School, Hampshire and The King's School, Peterborough.

## Home debt help urged

More advice is needed for homeowners facing repossession, according to the National Consumer Council (Rachel Kelly writes). Of the 267 county courts in England and Wales, only 30 have independent advice available on the premises. The Lord Chancellor's own advisory committee acknowledges that there is a "real need" for court-based advice services in the busiest courts. The Legal Aid Board has shown that the cost of such a scheme would be small, especially compared with the costs of housing homeless families and the misery this causes. More than 35,700 homeowners were repossessed in the first six months of this year, according to the Council of Mortgage Lenders.

## Frenchman cleared

A Frenchman living in London was cleared yesterday of taking part in a £35 million gold smuggling conspiracy. Judge Negus ordered at Southwark Crown Court that a not-guilty verdict be entered against John de Vandiere, who denied acting as a minder for the smugglers. The jury had failed to reach a verdict on Saturday against M de Vandiere, 47, of Honor Oak, southeast London, after the Crown had offered no evidence against him. Robert Neil, 47, the leader of the smugglers, was found guilty with seven others of conspiring to smuggle four and a half tonnes of gold into Britain from Luxembourg, and of evading VAT. They are expected to be sentenced later this week.

## Baghdad appeal filed

Britain and Sweden have filed appeals in a Baghdad court, seeking the release of two British and three Swedish jailed for illegal entry to Iraq. Paul Rids, 33, a chef working in Kuwait, was sentenced to seven years and Michael Wainwright, 42, is serving a ten-year term. The three Swedes were jailed for seven years. Both Britons are in Iraq's maximum security Abu Ghreih jail, near Baghdad, living mainly on tinned food. If the appeals fail, they can appeal to President Saddam Hussein for clemency.

## Three seek prison post

Two people from outside the civil service are on a shortlist of three candidates for the post of chief executive of the prison service when it becomes a semi-independent agency next year. Kenneth Clarke, home secretary, is expected to announce the successful candidate this week. The shortlist includes Joe Pilling, now director-general of the service, and candidates from Granada and London Transport. Mr Pilling is a Whitehall official who has served in the Home Office and Northern Ireland Office.

## Cash cuts 'threaten mass arts closures'

By ALISON ROBERTS, ARTS REPORTER

CASH cutbacks are threatening the existence of many regional theatrical and musical companies, arts campaigners said yesterday. London boroughs are faced with a "major collapse in funding" with a 43 per cent reduction in per capita spending on the arts since last year.

Figures for planned local authority spending on the arts and museums, released yesterday, show a 9.2 per cent decrease from £338 million in 1991/2 to £325 million for the next financial year. Six of the metropolitan districts have to reduce next year's spending. The 22 arts groups based in the London borough of Camden may suffer a 50 per cent cut in next year's arts budget.

Simon Mundy, director of the National Campaign for the Arts, said that many local groups had been forced to cut activities and in some cases close as local authority funding dried up. "What is worrying is that it is not only affecting the large organisations. More often than not

the organisations at the grass roots are also suffering and that will have a profound effect on the long-term future of the arts in this country," he said.

The Arts Council said it was investigating the likely impact of the cuts on arts organisations.

Charles Morgan, compiler of the local arts league of the National Campaign for the Arts, said that the cost of the Arts Council reorganisation — begun four years ago in an effort to devolve funding to the regions and reduce administrative costs — was out of control.

Arts Council and Regional Arts Associations accounts to March 1991 showed that the cost was approaching £2 million. The relocation of several of the regional associations had added more than £1 million to the cost of administering the arts funding system, he said. He urged the heritage department to impose strict cash limits on the Arts Council's administrative expenditure.

## ARTS SPENDING AND REVENUES

	1991/92	1992/93
1. Eastbourne	18.02	18.46
2. Cambridge	17.63	18.20
3. Cheltenham	19.28	15.90
4. Kingston-upon-Hull	15.74	15.85
5. Northampton	16.18	15.53
6. Crawley	17.58	15.13
7. Nottingham	13.42	14.60
8. Scarborough	13.84	14.49
9. Portsmouth	15.07	14.48
10. Hove	21.18	14.29

## Bank of Ireland Base Rate

Bank of Ireland announces that with effect from close of business on 19th October 1992 its Base Rate is reduced from 9.00% to 8.00%



Bank of Ireland

Area Office, 36-40 High Street, Slough, Berkshire SL1 1EL

## Embassy seeks clues to 1942 crash pilot

By MICHAEL HORNSBY

OFFICIALS from the British Embassy in Paris and the Commonwealth War Graves Commission yesterday began investigating the wreckage of a British fighter shot down over Normandy in October 1942 as mystery grew about the pilot's identity.

The site, in a maize field near Rauville-la-Place, 19 miles from Cherbourg, was cordoned off by gendarmes as the painstaking task of assembling the remains of the plane and its flyer began.

The pilot, who wore a pair of gold cufflinks and carried an embroidered handkerchief, appeared to be wearing a Fleet Air Arm uniform with Lieutenant's insignia and the name tag "Eaden D" on his

■ Mystery over the identity of a pilot shot down over France in 1942 has deepened, with a search of war dead and missing registers drawing a blank. French police, war grave officials and museum curators are trying to solve the puzzle.

ren" on the pilot's flying boots only compounds the puzzle.

Susan Wake, a graves commission official in Arras, is expected to file a report today to Wg Cdr Gareth Cunningham, assistant air attaché at the embassy, after visiting the site where the pilot crashed after a duel with a Luftwaffe plane over German-occupied France 50 years ago.

The remains of the aircraft, thought to be a Spitfire, the naval version of the Spitfire, were excavated by a mechanical digger 20ft deep in a field by Patrick Delahaye, 31, a military hospital nurse.

Wg Cdr Cunningham said: "Our primary concern is to identify who the pilot was and to give him a decent burial. We have confirmed the names

found on him, but what we need is the dog tag around his neck, which would confirm the identity. It is a difficult task. The gendarmes have spoken to someone who saw the crash, but there were so many planes that went down."

Graham Mottram, curator of the Fleet Air Arm museum at Yeovilton, has discovered that the only "Eaden D" to have served in the war survived it despite an accident in 1944. A Donald Eden, a paymaster sub-lieutenant in the Royal Navy, from British Columbia, who perished at sea in 1941, has been ruled out.

Mr Mottram said: "There is so much doubt about the pilot's identity that speculation is not a good idea. There

is doubt, too, about what type of plane it was and with which service it was flying. It is by no means unlikely that there are relatives of this person still alive."

Andie Saunders, of the Tangmere military aviation museum, said, after examining comprehensive registers of the dead and missing: "There was definitely no casualty of the name Eaden D in the second world war."

Mr Saunders has found an Australian pilot, Ralph Ernest Warren, service no 404599, who is commemorated at the Runnymede memorial to Commonwealth airmen, but he was lost in May 1942. Mr Saunders said: "It was not uncommon for airmen to borrow clothing and boots from their mates, and Eaden could even be the name of the tailor. . . . Another possibility is that parts of the body were found in 1942 and buried then, only for other parts to be discovered 50 years later."

## National Westminster Bank Business Accounts Interest Rates

National Westminster Bank announces the following interest rates, effective from 20th October 1992:

SOLICITORS RESERVE ACCOUNT		
Overseas interest rate	Interest	Overseas interest rate
	Instant Access — No minimum deposit/withdrawal	
6.250%	£250,000 and above	6.40%
6.125%	£100,000 — £249,999	6.27%
5.875%	£25,000 — £99,999	6.01%
5.250%	£2,000 — £24,999	5.35%
2.625%	£500 — £1,999	2.65%

Where appropriate, basic rate will be deducted from interest credited or paid (which may be reclaimed by making non-interest payments). Subject to the required registration fee.

11. Costs Computed Annual Rate is the internal rate of return on your savings if the interest payments are credited to the account.

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## Breast cancer victims to be given doses of 'relaxation' therapy

By RAY CLANCY

BREAST cancer patients are to be given psychological therapy in an attempt to discover whether psychology can increase the number of cancer-killing cells in their blood.

Women involved in the study at Aberdeen University Medical School will be encouraged to use imagery techniques, in which they will be asked to picture their illness, using a booklet ranging from medically correct drawings to cartoons.

The study, funded by the Cancer Research Campaign, will involve up to 100 women with advanced cancer requiring surgery, chemotherapy or radiation, or a combination of

all three. Half the group will receive the psychological treatment and half the more conventional treatments.

Launching the study yesterday in Edinburgh, Professor Gordon McVie, the campaign's scientific director, said that the study, to last for three years, was "one of the most imaginative and innovative" approaches to cancer in the past five years.

Dr Leslie Walker, senior lecturer in mental health at the medical school, said: "For women, this disease can be one of the most stressful illnesses. Not only do they have to come to terms with the breast cancer, but also with treatment which is potentially

damaging to their images as women. If our therapy can go some way to cutting this double-edged stress, then we should be able to help more women to cope better with this disease."

Dr Walker has prepared a series of relaxation tests for the women, who will be seen 14 times over 37 weeks. The treatment will include nine relaxation exercise sessions with a trained nurse. It is hoped that relaxation can combat patients' stress in discovering that they have the disease and can overcome some of the more unpleasant side effects of treatment, such as nausea.

Dr Walker is also preparing a booklet on imagery techniques. He said that it would be up to the individual to choose which image suited her best. "For example, the natural cancer killer cells could be represented by a policeman with a truncheon who charges around the bloodstream hitting cancer cells on the head," he said.

Oleg Eremin, professor of surgery, will concentrate on testing patients' blood. He hopes to establish whether it is possible to enhance the number of cancer-killing cells through psychology. The team aims to build on American studies that indicate that the body's natural defences can be vital in treating cancers. Conventional treatment suppresses the body's natural defence mechanisms.

"If clinically significant enhancement of host defences can be demonstrated in patients with malignant disease, this could have major therapeutic implications," Professor Eremin said. "Relaxation training and guided imagery could not only reduce psychological stress but also have an impact on survival."

Breast cancer is the commonest cancer in women in Britain, with 25,000 cases diagnosed every year, and 16,000 deaths.



Autumn gold: ramblers dislike having to share the Ridgeway with vehicles

## Walkers clear Ridgeway hurdle

WALKERS on the Wessex Ridgeway have scored a victory in their attempts to ban traffic from the 80-mile path. A public enquiry opens in Swindon today on a proposal to stop motor vehicles and bicycles using the path on Sundays and bank holidays.

Ramblers claim they have been forced into ditches, insulted, hooted at and even attacked by motorists. But more than 400 people have objected to the traffic ban and drivers say they are obstructed by ramblers.

About 175,000 people use the Ridgeway each year. It runs from Ivinghoe Beacon in Buckinghamshire to

Overton Hill in Wiltshire, passing prehistoric monuments including the Uffington white horse, etched in chalk in the downs, and the Avebury stone circle, a smaller version of Stonehenge. It connects with other paths to create a walkway from the Dorset to the Norfolk coasts.

The Ridgeway has been used for centuries by walkers and horses and carts. Ramblers have been complaining since the 1940s, when it was proposed as a formal path, about the noise of vehicles and their damage to its surface. Now the transport department has

proposed the ban for non-essential traffic on the 40-mile stretch from Overton to Sreatley, in Berkshire.

Fay Godwin, a landscape photographer and vice-president of the Ramblers' Association, said: "Now that motor traffic has made most country roads and lanes too dangerous for walkers, it is essential that unsurfaced footpaths and green lanes be kept free of cars and motorcycles."

"For the Ridgeway, we would much prefer an all-year ban on unnecessary vehicles, but the 60-day order considered at the enquiry will at least be a step in the right direction."

## £100,000 of bookings 'taken in ferry fraud'

A BUSINESSMAN accepted £100,000 in bookings for a ferry service that never existed, a court was told yesterday.

Geoffrey Benstead allegedly spent thousands of pounds printing brochures and tickets for his British Iberian Line, but the firm which advertised a multi-million-pound Poole to Bilbao service, had no financial backing, no crew, no port and no ship, Winchester Crown Court was told.

Gordon Bebb, for the prosecution, said that Mr Benstead decided in 1989 to extend his small insurance assessors company, Forward Marine Service, of Bournemouth, into a full-scale ferry company.

Mr Bebb said: "He drew up a feasibility plan for a roll-on roll-off service between Poole and Bilbao. He recruited a manager, an accountant and a sales manager, giving them the title of directors."

"He also employed a shipbroker to find a suitable ferry for charter. But his efforts to raise financial backing for the scheme failed miserably. No one would give him backing for the British Iberian Line Ltd. The Greek-owned ship, *Parra Express*, was to be renamed Maiden Castle, but the charter fell through when Benstead could not find financial guarantees."

Even so, the service was advertised and brochures were distributed promising stylish cruises on the alternative route to Spain, Portugal and southern France. Mr Bebb said. Bookings worth £100,000 were made by people told that the service would open in April 1990. Before then, Mr Bebb said, three directors resigned, fearing fraud, misrepresentation and lack of funds to repay bookings.

The bubble had burst when Mr Benstead, having shored up his finances with £28,900 that he should have paid to insurance brokers, perjured himself when asked about the sum in a court, Mr Bebb said.

Mr Benstead, 53, of Meare, near Glastonbury, Somerset, denies theft, perjury and fraudulent trading. The trial continues today.

## Safety on oil rigs criticised

Safety standards on North Sea oil rig helicopter decks were so bad that two had to be closed immediately when inspected by the Civil Aviation Authority, a report published yesterday says.

Half the 82 decks studied for the Health and Safety Executive earlier this year were found to have poor layouts, firefighting and maintenance records or crew training. In one incident, a crewman was badly injured when a ladder left lying on the deck hit him on the head when it was blown around by an approaching helicopter.

The executive said that vigorous enforcement action would be taken against companies that did not comply with safety regulations. A further 92 helidecks are to be inspected in the next year.

## Gunman jailed

Keith Pringle, 23, of Darlington, co. Durham, was jailed for 15 years by Teesside Crown Court after admitting false imprisonment, wounding and shotgun charges. He had held his former lover hostage and shot her mother and a friend. He was captured after being shot in the head by a police marksman.

## Dogs freed

Thieves who stole a jeep containing three dogs from a car park in West Thurrock, Essex, broke into a second car 50 miles away and put the dogs in it before escaping. The dogs were found safe and well.

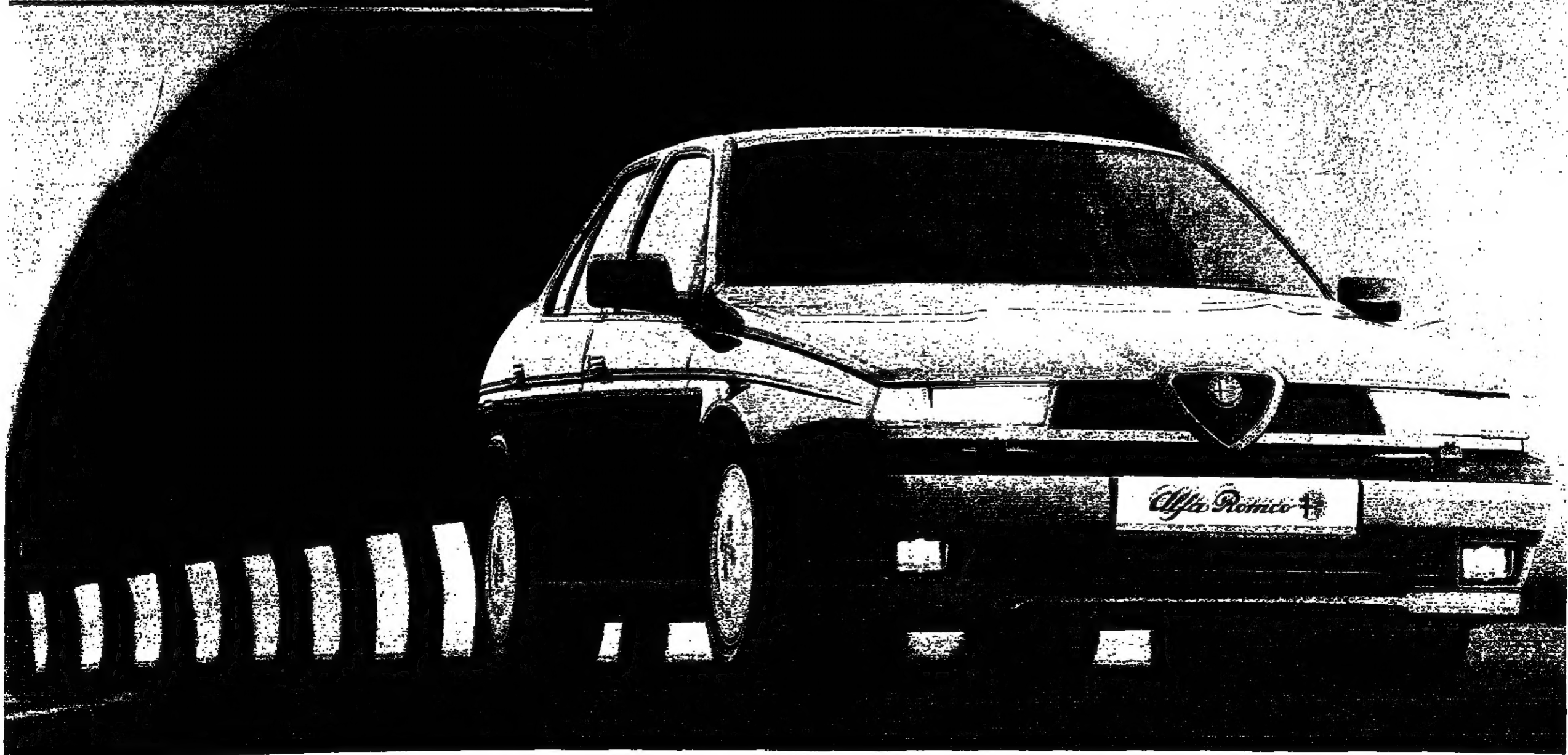
## Couple gassed

Jenny Whalley, 18, and Kevin Fitzgerald, 28, died in a fume-filled car in a garage in Blythe Bridge, Staffordshire. They had left the engine running in an attempt to keep warm.

## Home protest

Peter Bottomley, Conservative MP for Eltham, southeast London, slept on the steps of Greenwich Town Hall last night to protest at the plight of the homeless.

## THE NEW ALFA ROMEO 155 A DEMAND FOR PERFORMANCE.



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2.0 T. Spark Lusso ☐ 2.5 V6 ☐ 2.0 Cloverleaf 4 16V Turbo ☐



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THE CAR IN FRONT IS A  TOYOTA

*John Bailey*

Adoption  
plan attach  
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## Adoption fee plan attacked as damaging to children

Adoption agencies fear that charging prospective parents a fee will lead to fewer children finding new families

By JEREMY LAURANCE

COUPLES seeking to adopt children could face bills of more than £2,000 under government proposals that have alarmed adoption agencies.

The charges would be made to cover costs such as assessing applicants to ensure they can provide a suitable home for the child. The procedure can take weeks of interviews and enquiries. Adoption agencies fear that charges could deter adoptive parents and narrow the options for children who need a family.

Launching the first review of the adoption law for 20 years, Tim Yeo, junior health minister, said yesterday that its underlying principle was putting the needs of the child first. "The purpose of adoption is to provide children with families, not families with children," he said.

But the British Agencies for Adoption and Fostering gave a warning that the introduction of charges risked turning that principle on its head. Deborah Cullen, the organisation's legal adviser, said: "As soon as you get adopters paying, it suggests you are providing a service for them."

The review recommends that the law be changed to allow local authorities and adoption agencies to "charge for some services according to means". At present no charge is made for domestic adoptions, although the law does not forbid it and some voluntary agencies request a donation. Local authorities and voluntary agencies do charge for assessing applicants who seek to adopt children from abroad.

Ms Cullen said: "If charges

are introduced for domestic adoptions there is a danger of imposing a financial limit on the range of applicants coming forward, even if there is means testing. People don't like means testing. They are more or less implying that the supply of applicants exceeds demand, when in fact there is a shortage of adoptive parents for older children and those with disabilities."

The review, the result of a two-year study of the adoption laws to bring them into line with the 1989 Children Act, seeks to give children and their natural parents greater control over the adoption process without weakening the legal bond with the new family. Children over 12 should be given a right of veto over any prospective adoptive parents, the review says, and all adopted children should be given the opportunity to make or maintain contact with their natural families.

The review says that there are examples of "extremely successful adoptions" by lesbians and gay men and that some children are able to settle only in single-parent households. But in comments that appeared to conflict with this, Mr Yeo said that such options should be a last resort.

Altogether 45 recommendations are made in the document, which ministers hope will prompt a public debate. Mr Yeo said he hoped issues would be raised such as whether single parents and smokers should adopt and whether there should be an upper age limit for adopters. The consultation period will last until the end of the year.

## Anti-theft tags may be fitted to bread

By NICK NUTTALL, TECHNOLOGY CORRESPONDENT

BREAD, margarine, jam and other staples could soon be electronically tagged, in an attempt to fight a new wave of shoplifting caused by the recession.

Companies and government-backed researchers have joined forces to develop a universal security tag that is thin and slim enough to fit to bottles, electrical goods and cartons rather like the bar code labels that are used in price goods.

Unlike conventional tagging systems, which involve bulky devices that are fitted by shop staff to clothes, the new tag will be attached or embedded in goods by manufacturers and food firms before products reach the shops.

The scheme is being co-ordinated by the Centre for the Exploitation of Science and Technology (Cest) in London, an organisation funded by government departments including the trade and industry department and the Cabinet Office, as well as more than 30 industrial companies.

Martin Sverdlow, the programme director of Cest who is responsible for the scheme, said yesterday that although retailers had earmarked the tags for spirits, cosmetics and

cigarettes, it was likely that even quite cheap items such as bread, margarine and jam would also be protected.

"The profile of theft has recently changed... this has not been helped by the recession," he said.

Shops installing the security technology will activate the tags when the goods arrive and they will be deactivated at the checkouts.

The scheme was developed by firms including the Co-operative Wholesale Society and Thorn-EMI and is to be tried out at a Co-op store in Slough. Some clues on how it may operate come from a pilot scheme in France, where profit margins are much tighter than in Britain and shoplifting represents an even more serious problem.

There, stores attached the security labels both openly or covertly, for example under labels, on a random selection of goods.

Penals, able to scan for the labels, were sited at the end of check-out counters. Because customers have been known to try leaving shops with things hidden in their hair, a second surveillance system could be installed that detected shoplifted goods at head height.

The way it isn't

CRAIG BROWN



Michael Heseltine would be delighted to go down a mine providing his coiffure didn't suffer

Janet Street Porter was never taught to say 'water'

she pronounces it 'wower'

we're all the poorer

David Lodge is no podge

But his reputation must hinge on what he does to that fringe

George Bush said 'Shush! We're sure to fail if you mention Dan Quayle'

## Protesters fail to block bail hostel

PLANS to open Britain's biggest bail hostel in a green-belt village are to go ahead in spite of protests from residents who fear that alleged offenders will spark trouble there.

Conversion of a former children's home at Bramley, near Guildford, Surrey, into a hostel for 45 alleged offenders is expected to start soon, with the first inmates arriving next spring. Yesterday, Surrey's probation committee was told of opposition to the plan, which has also caused doubts among probation officers outside the county.

Michael Varah, Surrey's chief probation officer, said: "The conversion will go ahead. A contractor has been identified... The committee was brought up to date with the concerns of local people about the proposal."

## Britain and Australia poles apart on huskies

By NICK NUTTALL, TECHNOLOGY CORRESPONDENT

BRITAIN has been accused of endangering a 39-nation treaty aimed at preserving Antarctica because it refuses to pull out two teams of husky dogs that live there.

The international protocol, signed in Madrid last year, is due to be ratified in 1994. Most of it concerns a 50-year ban on mining, and regulation of marine pollution, but it also aims to preserve the continent's flora and fauna.

Huskies, the dogs that since 1945 have become the companion and helpmate of British polar explorers and scientists, have been accused of growing at baby seals and penguins.

The Australian and Argentinian governments have announced that they will pull out their dogs and dispatch them to the snow-clad forests of Minnesota in America by the 1994 deadline. Britain, the only other nation with husky teams, argues that it would be cruel to shoot or remove its 20 remaining



Hounded out? Britain is under pressure to pull its huskies out of Antarctica to save an international treaty

dogs from the area. Julian Parn, a spokesman for the British Antarctic Survey in Cambridge, which advises the government on Antarctic

policy, said that most of Britain's huskies were descended from about 65 dogs brought from Labrador. "The dogs have known nothing

else other than the Antarctic. It is their home and that is where we would like them to stay." But Ros Kelly, Australia's environment min-

ister, said yesterday that Britain's stand endangered the whole agreement.

Leading article, page 17

## Duke wants the public heard on BBC future

By MELINDA WITTSTOCK, MEDIA CORRESPONDENT

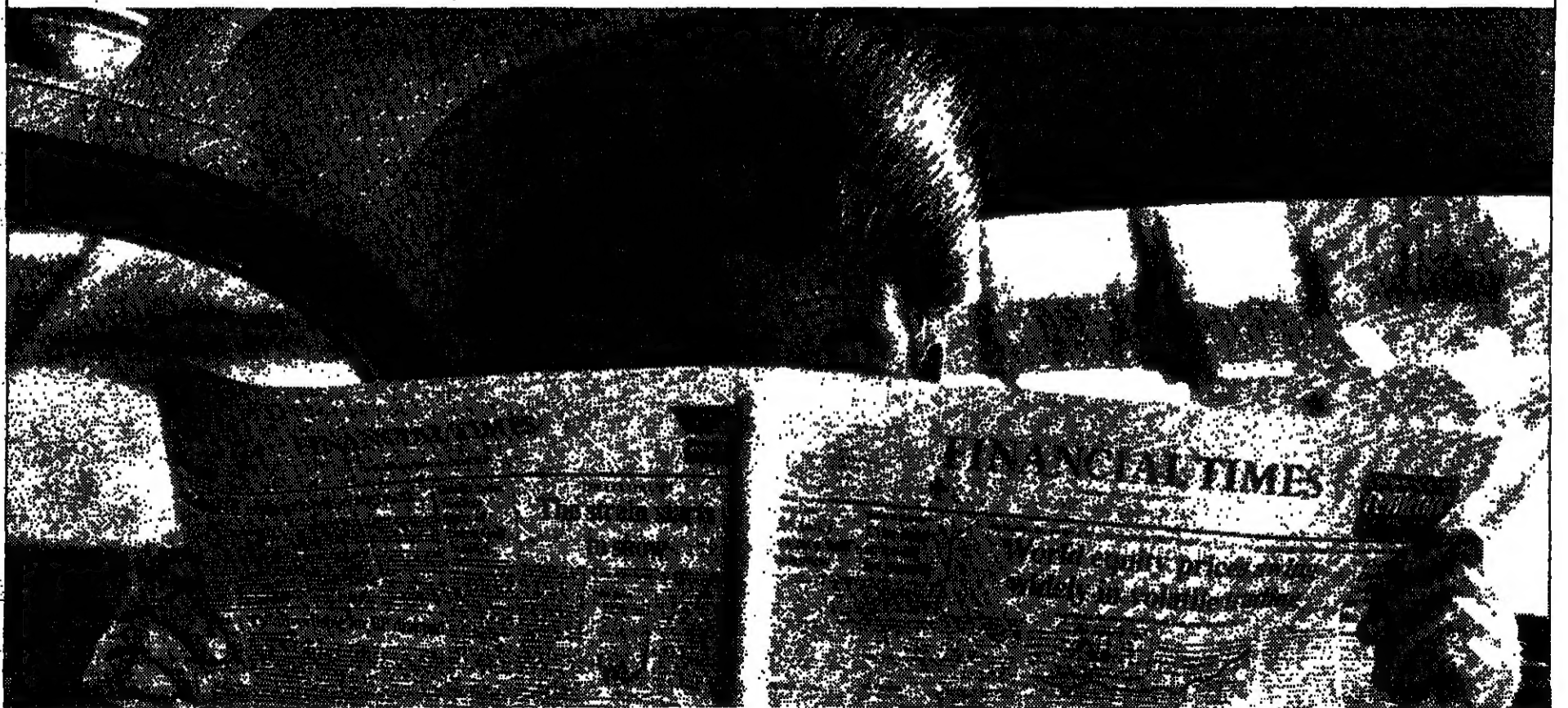
THE Duke of Kent last night urged the BBC's governors and management not to take any "pre-emptive decisions" about its future without listening to licence payers' wishes.

In an oblique reference to the dispute over plans to replace Radio 4 on long wave with a 24-hour radio news network, the duke said: "Pre-emptive decisions, in radio or in television, cannot be the right way to determine the future of one of the nation's most important cultural assets."

Speaking at the opening of the Royal Television Society's annual symposium in London, the duke said that it was "absolutely vital... that the public, who pay for its services, should be able to play an integral part in the decision-making process."

The duke said: "The corporation, too, in view of its unique position [as a public service broadcaster] unconstrained by the need to make profits for shareholders and free of direct commercial pressure, has a special responsibility to share its vision of the future with its paying public."

# HIGH RETURNS WITHOUT SHOCKS AND SCARES.



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## Family wins battle against Bupa over £11,000 hospital bill

■ Patients with private health-care policies risk facing large hospital bills as recession-hit insurers reject claims

By JEREMY LAURANCE, HEALTH SERVICES CORRESPONDENT

TWO sisters have won a 16-month battle with the private health insurer Bupa over the company's refusal to pay an £11,000 hospital bill for the care of their mother. The case highlights the difficulties that subscribers face in ensuring that they are covered against large medical bills.

Joan Lyall, 83, spent six weeks in the private Lindo wing of St Mary's Hospital, Paddington, west London, after a stroke in December 1990. The bill for accommodation, consultant's fee and physiotherapy came to

£11,806. She had been a member of Bupa for many years, paying what was then the top annual London rate of more than £1,000, but the company rejected her claim. After months of legal wrangling, Mrs Lyall's daughters, Joanna Lyall and Julia Burton, took the case to the Personal Insurance Arbitration Service, which ruled that Bupa should pay the bill.

Doctors and hospital managers say that Bupa's initial refusal to pay, in spite of providing what the family considered to be confirmation

that her bill would be covered, demonstrates the risk that subscribers run. They say that disputes over bills are becoming more common as all health insurance companies seek to control rising costs. Like other companies, Bupa has had a sharp increase in claims in recent years and made a £63 million loss on its insurance business in 1990.

Ian Robertson, business manager of the Lindo wing at St Mary's Hospital, said the companies were tightening up. "Patients may not realise what they are coming in for, or what caused it, and couldn't know it was in an exclusion clause," he said. "Not every patient gets the whole of their bill settled and it is often not easy to find the reason for the shortfall. The patient certainly doesn't understand it."

In August a *Which?* magazine survey of 660 patients who had made health insurance claims found that one in seven had to pay part of the cost. In one case a patient from Norfolk who had his prostate gland removed developed complications during surgery and needed 12 pints of blood. Bupa agreed to pay the cost of the operation but not the extra cost of dealing with the complications, which amounted to £2,000, until the patient's own GP, Dr Ian Nisbet, intervened.

Dr Nisbet said: "It's totally immoral for a person who goes into hospital for which he is covered and from which he nearly dies to come out to a bill of £2,000. How is he to know that while under the anaesthetic he is going to bleed like hell?"

Jan Lawson, of the brokers Private Health Partnership, said that companies were also tightening up on cases where an acute condition that is covered becomes a chronic one that is not. "That is probably the biggest single area where we are seeing a narrowing of cover," she said.

## Consultant's letter failed to settle claim

JOAN Lyall was admitted first to the NHS part of St Mary's Hospital because no bed was available in the private wing. She asked to be moved after six weeks (Jeremy Laurance writes).

Her daughters contacted the local Bupa office by telephone and were told that their mother would be covered for up to three months provided they supplied a letter from her consultant confirming that she was having "active medical treatment". The consultant sent the letter within days.

When the £11,000 claim was submitted three months later, Bupa said Mrs Lyall had received only nursing care, despite the consultant's evidence. It said it could give only general advice by phone and needed a medical report before making a decision.

When the case went before the Personal Insurance Arbitration Service, the arbitrator accused Bupa of trying to substitute its own clinical judgment for that of the consultant. He ruled that Bupa should pay the bill on this ground although he held that the company could not be



Lyall: paid £1,000 a year for health insurance

bound by the telephone conversation, which amounted only to a reiteration of its conditions regarding claims.

Joanna Lyall said: "It's very unsatisfactory that you can't be given clear guidance as to whether you are covered or not at the time you need to know."

Bupa said the purpose of medical insurance was to provide treatment on a short-term basis. Subscribers should continue to telephone for advice but in some cases a medical report would be necessary.



Safe pair of hands: Mike Brunt, of the Association of London Authorities, demonstrating the safe way to handle sparklers. The association said yesterday that injuries from sparklers had risen on Guy Fawkes' night and Halloween last year and issued a series of safety guidelines (Julia Llewellyn Smith writes).

It recommended that handlers should always wear gloves, that used

sparklers should be put in a bucket of water, that children should always be supervised when using sparklers and that parents should never hold babies while also holding sparklers. The association also reminded traders that it was illegal to sell fireworks to children under 16, an offence that carries a maximum fine of £5,000. Sparkler injuries rose from 93 to 101 last year compared with 1990, although firework injuries overall dropped from 805 to 723.

The association's warnings came on the first day of National Fire Safety Week, marked with the release in London of 850 red balloons: one for each of the people killed in 63,166 house fires last year. A further 14,000 were injured. Commercial fires cost businesses more than £75,000. The Fire Protection Association said

that the greatest risks were smoking, especially in bed; and cooking accidents, especially with chip pans and faulty electrical appliances. Stewart Kidd, its director, said: "The majority of fires start simply through carelessness. During the week, we will aim to make as many people as possible aware of what they can do to prevent a fire or at least stop it resulting in a tragedy."

## Legal aid franchising to start next year

By FRANCES GIBB, LEGAL CORRESPONDENT

PROPOSALS for a radical shake-up of the legal aid scheme in which lawyers will be granted contracts to undertake legal aid work are published today.

The proposals, unveiled by the Legal Aid Board, envisage the biggest changes for legal aid and its 3,000 core practitioners since the scheme was introduced in 1949, bringing in elements of a free-market economy akin to the reforms in the health service.

They are certain to lead to a new dispute between the profession and the Lord Chancellor's Department, which backs the principle of franchising.

The Law Society withheld support for the proposals yesterday because, it said, it had not seen the details. It added that its support would not be forthcoming unless certain conditions were agreed, including the freedom of clients to instruct non-franchised firms. It also wanted higher pay for higher-quality work.

Under the proposals legal aid firms will be granted contracts, or "franchises", by the Legal Aid Board to carry out legal aid work with the benefit of greater control over their own budgets, the freedom to work without the need to have every legal aid certificate approved, and swift payment.

However, such contracts

will be granted only where firms can meet specified quality criteria that have been developed through pilot projects in Birmingham.

Controversially the quality controls extend not only to case files as seen by legal aid area offices, but also to efficient working practices within lawyers' offices, and the handling of individual cases in court.

John Pitts, chairman of the Legal Aid Board, said: "This is a major opportunity and a challenge both for the board and the legal profession."

The scheme was essential, he said, in the light of pressures on legal aid spending. "We must be able to demonstrate that quality is being

maintained so that taxpayers can be assured they are getting value for money."

The board intended to introduce a scheme that would assist the public in choosing a solicitor who had demonstrated competence in particular areas of legal work, he said. It would need to be implemented "in a way that ensures we are being fair to both the public and to the legal profession."

The board wants to have all arrangements in place to enable it to start applications for franchises from July 1, 1993. It hopes the first contracts will be signed by the end of next year.

Law Times, pages 33, 35

## Fischer closes on £2 million

By RAYMOND KEENE, CHESS CORRESPONDENT

BOBBY Fischer held his lead over Boris Spassky with a draw on Sunday night in the twenty-second game of their match in Belgrade. Fischer has eight wins to Spassky's four and needs two more for match victory and the \$3.65 million (£2.19 million) prize.

Fischer, defending with the black pieces in what has now become the customary Sicilian Defence, thwarted all Spassky's efforts to achieve an advantage and liquidated to a drawn position after 26 moves, where all the pieces were restricted to one side of the board.

Spassky repeated the opening that had garnered him such a brilliant and overwhelming victory in game 20. However, Fischer considerably refined his defensive options, and when Spassky broke in the centre on move 12 Fischer was ready with a planned counter-attack on the queen's flank.

Although after 18 moves Fischer's position appeared somewhat restricted, a knight move at that stage eliminated white's advantage and a neat queen tactic on the twenty-first set the seal on the draw.

The next game is tomorrow night.

Game 22

White	Black
1 e4	c5
2 d4	d5
3 Nc3	g6
4 e5	Ng6
5 f4	g5
6 d5	g4
7 e6	d4
8 f5	g3
9 g4	g2
10 h4	g1
11 g5	g0
12 f6	g7
13 e7	g8
14 d8	g9

The final position

## Private schools say exam list will exclude their best pupils

By MATTHEW D'ANCONA, EDUCATION CORRESPONDENT

PRIVATE school heads have protested to John Patten, the education secretary, that next month's official league tables of examination results will disadvantage schools whose brighter pupils are pushed ahead of their age group.

Tables of results from more than 4,000 state and independent schools will be published by the education department under the parents' charter, but will include only 15-year-olds' grades at GCSE and only 17-year-olds' A-level grades. The Headmasters' Conference (HMC), which represents 233 leading fee-paying schools, claims that the tables will give parents a distorted view of a school's performance by excluding pupils who do not fall in the correct "age cohort".

Vivian Anthony, HMC secretary, said that the draft version of the tables sent out by officials omitted up to 30 per cent of pupils at some schools. "We looked at this with other school associations and said it wouldn't work, but the department went ahead and did their own print-out," he said. "The object of the operation is to give people an idea of how schools perform, but large numbers of pupils are left out."

Susan Campion, headmistress of St Felix School, Southwold, Suffolk, said that 60 per cent of the school's grade-A passes at A level would not be shown in the government tables. "Am I now to decide examination entry dates for my pupils not according to ability and standard of attainment, but according to age?" she said. "How bored the bright will become as they mark time. What is to become of the Ruth Lawrence of the future?"

Robin Wilson, headmaster of Trinity School, Croydon, said that the tables would

exclude at least eight of his examination candidates. "It seems quite ludicrous," he said. "An age cohort is very strict and makes no allowance for those children in any year group who are younger or have been held back by illness." Ian Small, headmaster of Bootham School, York, said that the new system was misleading and failed to acknowledge the achievements of "masses of youngsters".

The opposition of blue-chip schools to the system adopted for the first series of league tables, which were originally to be drawn up by local authorities, will increase pressure on Mr Patten to reconsider their format. The education department said yesterday that schools had been given a chance to air criticisms earlier this year. "This is the first year that we've done the exercise and we had to draw the parameters somewhere," it said.

The Secondary Heads' Association has objected to the composition of the tables because they fail to acknowledge vocational examinations. Although ministers have demanded parity of esteem between academic and vocational qualifications, this year's tables will include only GCSE and A-level results.

Patten: facing demands to rethink exam league table



Patten: facing demands to rethink exam league table

## Japanese pine for the valleys of Wales

By TIM JONES

WHEN the *Hiraeth*, or great longing, becomes too much to bear alone, businessmen in Tokyo or Kyoto can now meet to reminisce about the green, green grass of the land they call Ueruzi. Since the first Japanese company set up a plant in Wales more than 20 years ago, hundreds of the managers and their families who moved into the principality to establish factories have developed an affinity with its lifestyle and culture.

Now, after returning home, they can meet in two *Hiraeth* clubs to talk about the days of rugby, choirs and

laver bread. The clubs, where the evocative words of Myfanwy will be heard instead of karaoke singing, were established earlier this month by David Hunt, the Welsh secretary, and Hiro Nakamura, a former managing director at the Sony factory in Bridgend, which employs 2,600 people.

They demonstrate a remarkable bond between the world's greatest economic power and the principality that has seen thousands of jobs lost through the closure of pits and the restructuring of the steel industry.

There are now 43 Japanese companies in Wales employing more than

13,000 people. At first, they were merely screwdriver plants where products were assembled. Since then, factories such as Sony have become world leaders and Japanese workers travel to Bridgend to be trained.

Japanese workers and managers are forbidden by their executives from establishing ghettos in Wales and must live in the community. Their children go to local comprehensive schools and play rugby and soccer with classmates whose parents work on the shop floor.

They are, however, aware of the threat to their own cultural heritage that isolation from their homeland

can bring and have formed a club in Cardiff and a Saturday school for their children. Occasionally, over sushi and wine, they are entertained by a traditional Japanese storyteller.

John Bevan, of Sony, said: "There are now hundreds of Japanese businessmen who regard Wales as their second home. They taught us a lot but in return they gained enormously from their involvement with Wales."

In return, the people of the valleys that have been ravaged by the destruction of the old heavy industries hope they will always be able to offer a welcome in the hillsides of Ueruzi.

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## Democrats poised to consolidate power in Senate and Congress

### Republicans jump ship as leader sinks fast

FROM MARTIN FLETCHER IN WASHINGTON

AS PRESIDENT Bush entered last night's third and final presidential debate, the most realistic question was not whether he could still turn the election round but whether he could prevent a collapse in the Republican vote on November 3 that would undermine the party's candidates right down the ticket.

The Bush camp continued to insist victory was possible. "Soon or later, before people actually vote, this will shift from being a referendum on the tries to a choice of two people you want to see in the Oval Office," said Robert Teer, the campaign manager. Aides claimed their polls showed the gap had narrowed to less than ten points, but public surveys suggested otherwise.

A CBS News poll yesterday gave Bill Clinton a 17-point lead and the CNN-USA 70-day daily tracking poll showed

not going to get out of it overnight.

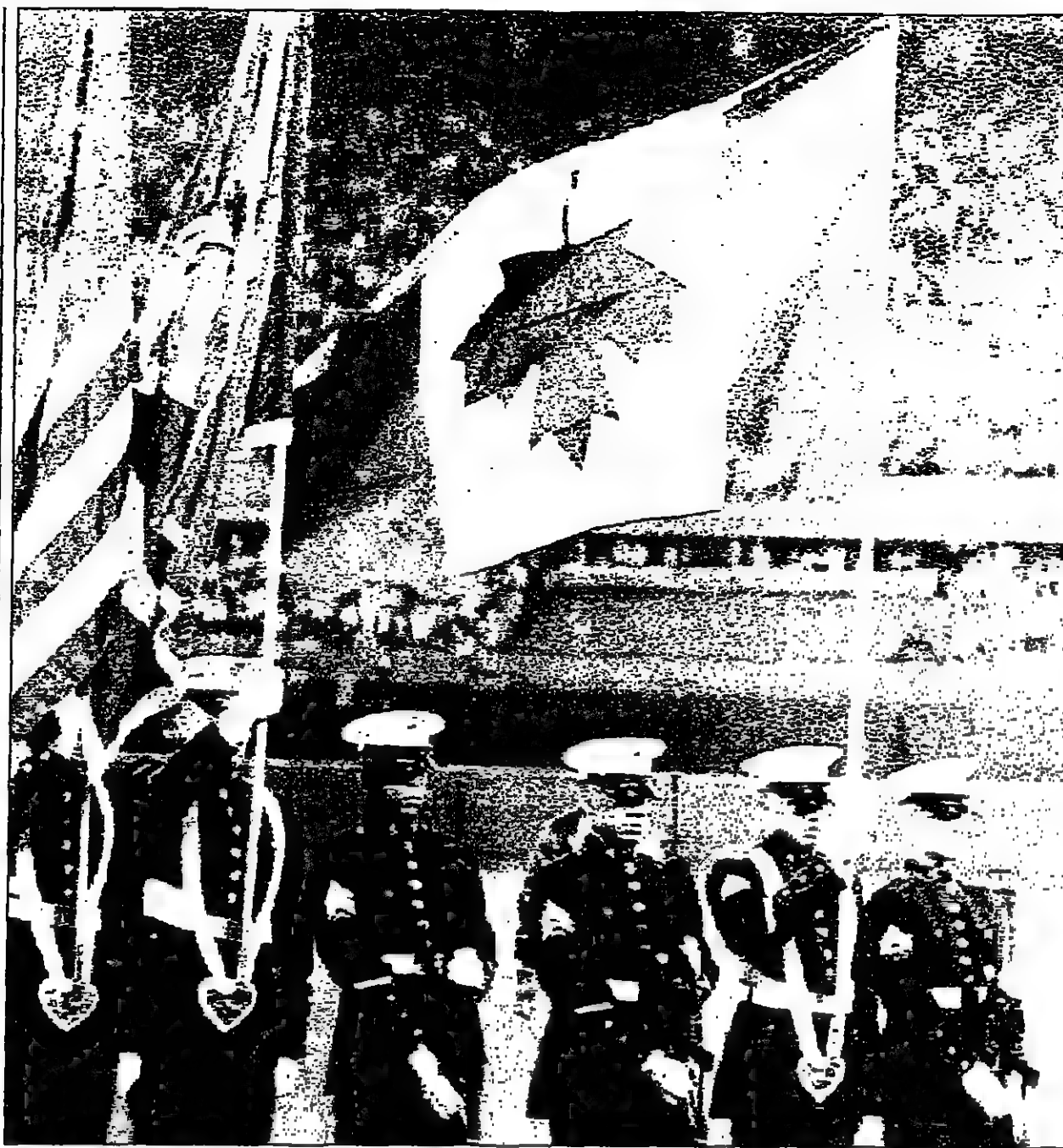
Mr Bush, his self-confidence shaken, had a tough hand to play last night. Republicans around the country had urged a final no-holds-barred attack on Mr Clinton. However, the danger of that approach for Mr Bush was that he would appear desperate and unprincipled.

Mr Clinton also sought to immunise himself against such an assault. Mr Bush "can't run on his record or his own programme for the future, so all he can do is tear me down," he said. "Bush aides promised a more aggressive performance than last week's. The CBS poll showed 56 per cent had doubts about Mr Clinton's trustworthiness, and Mr Bush was expected to focus on the risks of sending the Oval Office someone with Mr Clinton's flaws and 'tax-and-spend' proclivities. Mr Clinton's much simpler task was to concentrate on America's economic problems, avoid gaffes and seek to reassure independents and potential Republican defectors.

For half the 90-minute debate a panel of journalists asked questions, and the second half was reserved for open discussion between the candidates themselves. Ross Perot, the third candidate, again had the potential to help Mr Clinton by attacking the Republicans' 12-year economic record.

Nearly 6,500 Republican senate, congressional, gubernatorial and state legislative candidates will share the November 3 ballot with Mr Bush, and the party is worried they, too, will be dragged down by the president's unpopularity. Eighteen months ago the Republicans had hopes of retaking the Senate and making sweeping House gains thanks to favourable boundary changes. The Democrats are now expected to win at least three new Senate seats, enough to curtail Republican filibusters, and virtually maintain the House status quo.

The dozen newspapers that endorsed Mr Clinton included Portland's *Oregonian*, which has not supported a Democrat in 142 years, the Fort Worth *Star-Telegram* in the president's adopted state of Texas, the *New Haven Register* in his boyhood home of Connecticut. However, the *Chicago Tribune* backed Mr Bush. The editorials variously called Mr Bush a "massive disappointment", condemned his "lacklustre inattention to domestic problems" and accused him of lacking "any central guiding principle".



Maple leaf rag: a Canadian flag flies upside down at baseball's World Series where the Toronto Blue Jays take on Atlanta. Network coverage clashed with the final televised presidential debate. Series level, page 36

## Bush bypassed on economic front

The Bush camp's preoccupation with allegations about Bill Clinton may cost the president the White House, Jamie Dettmer says in his Washington commentary

AMERICA'S economy is turning out to be the most pressing issue of the presidential election, perhaps the decisive issue which will deny George Bush a second term.

The Clinton camp realised this six months ago: the Bush camp, it seems, did not. They were preoccupied with allegations against Bill Clinton of marital infidelity, and with Patrick Buchanan's assault on Mr Bush from the Republican right wing. But the New Hampshire primary in February saw a "call to economic arms" by Paul Tsongas, then a leading contender for the Democratic nomination, and Mr Clinton took the hint, producing a detailed economic manifesto.

The White House continued to look the other way. After New Hampshire, the Bush campaign came up with the slogan "Message: I care", apparently believing that was all Mr Bush needed to say to answer voters' economic fears. Only last month did Mr Bush present a detailed second-term economic agenda, by which time Ross Perot, the independent candidate, had already produced a paperback detailing his harsh medicine for

reducing the \$4 trillion federal deficit in five years.

Neglect of the economic agenda has cost the president dear. The 1992 campaign is not another contest between free-marketisers and big-government advocates. If Mr Clinton is elected, his administration will be one of the most right-wing Democratic governments America has seen this century.

President Bush has sought in the heat of battle to caricature Mr Clinton's economic approach, accusing the Democrat of being an old-fashioned, George McGovern-type "tax-and-spend liberal". Mr Clinton has responded, linking the Bush approach to "Reaganomics" and dismissing it as "trickle-down economics". On the campaign trail, Mr Bush accuses the Arkansas governor of favouring European-style "social engineering", with the Democrat

responding by painting the president as an ogre who would demolish social security and take away health care benefits from the elderly. The caricatures miss the point. Although Mr Clinton believes in an increased role for government, he is no radical McGovernite. Equally, although President Bush is a hands-off-the-economy man, it is wrong to claim he wants to do away with well-established welfare programmes. Mr Bush has also not followed in the supply-side footsteps of his Republican predecessor. The president has in fact not really had a coherent economic philosophy for the past four years. He has had within his administration two opposed groups, one emphasising deficit-reduction, led by Richard Darman, the budget director, and the other arguing for tax cuts, enterprise zones, and tax breaks for business invest-

ment, led by Jack Kemp, the housing secretary. The president has failed to come down clearly on one side or the other. Mr Clinton for his part has distanced himself from old-style Democrats who want to see the introduction of huge government welfare and works programmes financed by tax increases on the wealthy and the middle classes. Although Mr Clinton's plans envisage a \$150 billion package of public works and job training schemes, he insists he would only raise the top rate of tax from 31 per cent to 36 per cent on the wealthiest of Americans, those earning more than \$200,000.

Whatever happens on polling day, America will still have an administration that believes that government has a large, strategic role to play in industrial policy and the economy. There has been a tilt among American economists towards the idea of greater government intervention.

The long recession, the increase in global competition, the 1980s-inspired debt crisis and the rising costs of welfare and health programmes have all led to a rethinking on both left and right.

## ANC report highlights its own brutality

FROM MICHAEL HAMLYN IN JOHANNESBURG

DETAILS of the "staggering brutality" with which the African National Congress treated its prisoners when in exile were published yesterday by the ANC itself.

A catalogue of inhumanity, degradation and death inflicted by the liberation movement on those it suspected of betrayal, or even of speaking out against the ANC's security apparatus, is contained in the report of a commission of enquiry set up by the ANC to examine allegations made by former detainees who have now returned to South Africa.

The commission consisted of two ANC members and an independent lawyer. Its report highlights a detention camp in Angola called Quatro, which "was not inappropriately described by one witness as a concentration camp", where inmates were daily subjected to violence for the sake of violence.

Several forms of assault and punishments meted out to prisoners are described in the report. There was "pompa", where the victim was made to puff out his cheeks while being repeatedly slapped in the face. "The effect was to create unbearable pressure on the eardrums and excruciating pain."

Another practice was the "gas mask", in which a papaya shell was pushed into a detainee's face until he could no longer breathe. The commission was told of the "slaughter" when a detainee would be thrown into a pit four yards deep and with a trench six feet above the bottom which was the only way out. The prisoner would be ordered to try to jump up to the trench while warders threw heaps of soil on him from above.

Prisoners were held without trial in many cases for periods up to seven years, and some were confined to their cells for inordinately long periods. One torture victim confessed to killing a number of people who were still alive, and another, through a confusion of code-names, admitted killing himself.

Nelson Mandela, president of the ANC, told a crowded press conference yesterday that his organisation took "collective responsibility" for the many abuses catalogued in the report. "We believe that the morality of our liberation struggle demanded and still demands of us the highest moral and ethical standards," he said.

He said that before taking any action against individuals named by the commission (though no names were given in the published report), the ANC would set up a fully-independent enquiry.

## Pentagon announces F15 talks

London: The United States has begun negotiations for the sale of 72 F15 fighter aircraft to Saudi Arabia, the Pentagon said yesterday. British sources insisted the deal did not undermine Britain's hopes of selling 48 Tornados to the Saudi air force.

The go ahead for the F15 sale came after Congress raised no objections. Previous attempts to sell American jets to the Saudis had been blocked after pressure from the strong pro-Israeli lobby. British officials said they hoped that Riyadh Saudis would still buy Tornados, as part of the so-called Al Yamamah 2 agreement that could be worth more than £20 billion.

In another development, Indonesia announced it is to buy 24 Hawk training aircraft worth about £500 million from Britain. A British embassy spokesman in Jakarta said the contract would be signed early next year. The Indonesians had originally planned to buy 40 Hawks but a lack of funds forced a review.

**Troops cleared**  
Mogadishu: Clan elders and political leaders in the former British protectorate of Somalia have agreed to the deployment of 750 armed United Nations soldiers to protect humanitarian efforts in the north of the country.

**Protests foiled**  
Amritsar: Police continued to guard the Golden Temple as part of a security operation to foil planned protests over the hanging 11 days ago of two Sikh terrorists. Amritsar was said to be returning to normal after a huge security operation at the weekend.

**Ordered out**  
Moscow: Kazakhstan has ordered the expulsion of Chechens from a northeastern city, according to Russian television, in the first such official deportation since Stalin's days. The order follows fighting in which four Kazakhis died. (Reuters)

**Brothel count**  
Tokyo: The Japanese army operated 121 brothels on Okinawa during the second world war, not nine as recent official reports show, according to a Tokyo newspaper. About 200,000 Korean and Chinese women became sex slaves.

**Fault denied**  
New York: The makers of the \$1.5 billion Hubble Space Telescope mirror have denied a *New York Times* report that they hid important clues to the flaw that crippled the device. (Reuters)



USELECTION

a 12-point gap. The most that Mr Bush appeared to have achieved in the first two debates was a slight increase in Mr Clinton's negative ratings, but with a corresponding rise in his own.

Signs of the Republican campaign's disintegration were plentiful. Across America, congressional and senate candidates were distancing themselves from Mr Bush. At least 12 newspapers around the country endorsed Mr Clinton over the weekend, with just four daring for Mr Bush.

Susan Schneider, of the Washington-based headhunters Firs and Schneider, said the polls had "opened up the floodgates" of Bush administration officials looking for new jobs, and the media is increasingly turning its attention to Mr Clinton's likely appointees. Nobody bothers to ask who would replace James Baker's Secretary of State in a second Bush administration.

Mr Clinton has begun to cauterise against complacency, and subtly manoeuvring to lower expectations for his first term. He now punctuates his comments with warnings that "it is not going to be easy" and that he did not get into this mess overnight, and we are

## Even garden gnomes do their bit to dish the president

FROM BEN MACINTYRE IN NEW YORK

AS HE stands surveying his astonishing collection of lawn furniture and ornamental gnomes, Michael Margolis is in no doubt what the election result will be in New York state. "Bush is going to be 'wiped, trounced, history', he announces, resurrecting a fallen flamingo on his suburban Long Island lawn. As a slight wind ruffles the tree-lined street a mile outside New York, the assembled dwarfs, flamingos and even a plastic deer appear to be nodding in agreement.

As a piece of political wisdom, this is hardly startling. If any state can be said to be a cinch for Bill Clinton, the Democratic presidential contender, it is New York. According to the latest polls, Mr Clinton enjoys 58 per cent support while President Bush has mustered only 28 per cent, in every age group, race, religion, income and educational level, the Arkansas governor is substantially ahead. Registered Republicans provide the only exception, and nearly 20 per cent of them say they will vote for Mr Clinton.

What is truly remarkable, however, is the fact that people such as Mr Margolis are not only predicting an imminent Democratic victory, but also applauding one. In 17 of the past 18 presidential elections Long Island has voted Republican, but even Republicans have been forced to admit that the Democrats



Johnson: took bastions of Republican support

stand their best chance of taking the former Republican strongholds of Nassau and Suffolk counties since the Lyndon Johnson victory of 1964.

Mr Clinton and Al Gore, his running-mate, are almost certain to clinch New York state's 33 electoral votes regardless of what happens in Long Island, but the swing in such suburbs, here and elsewhere in America, may prove to be the single most important factor two weeks today.

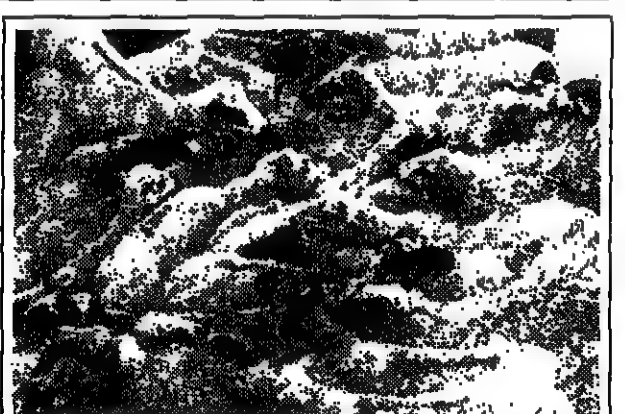
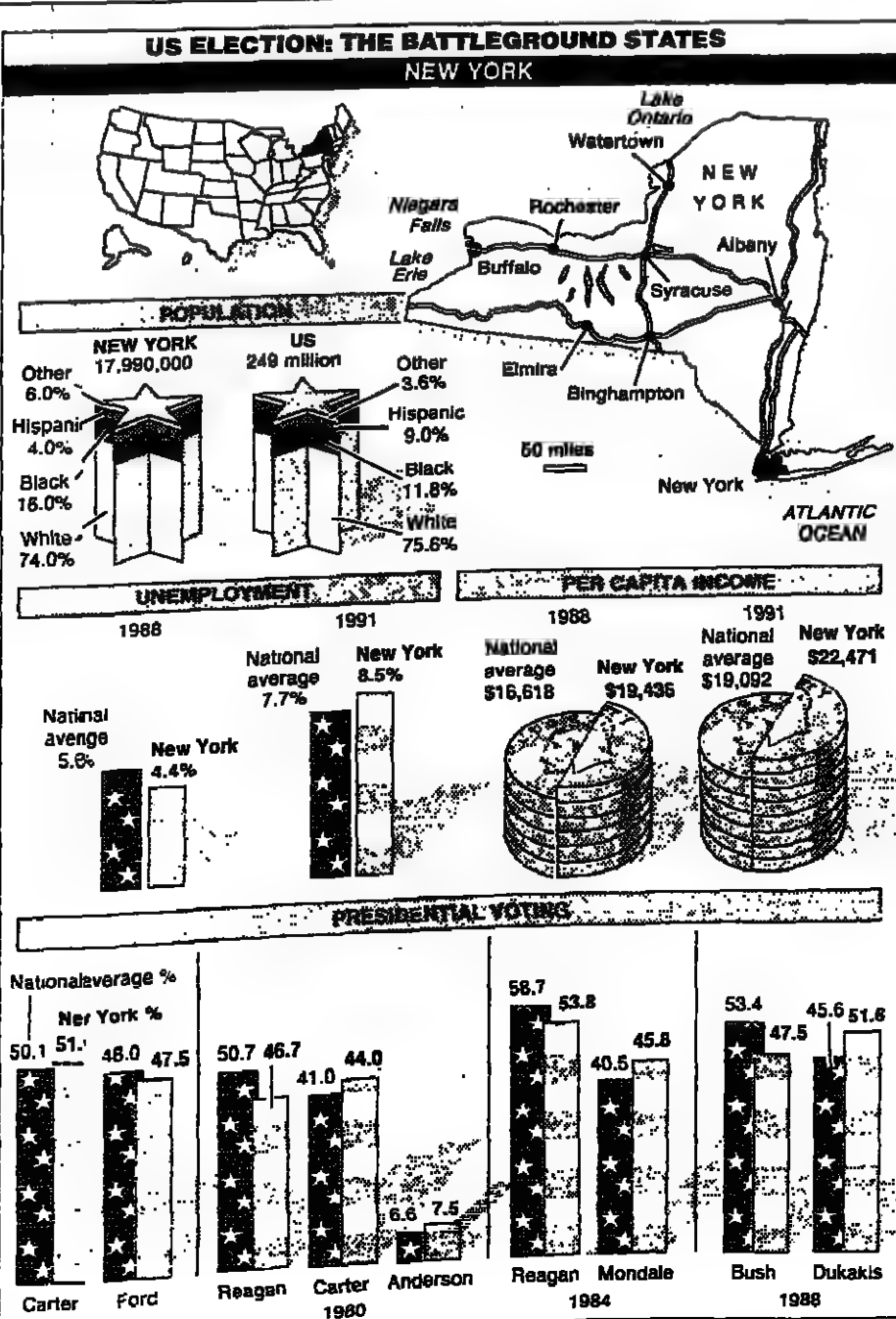
For many like Mr Margolis, Republicanism has, until now, been an accepted part of life, as permanent and immovable as the "Dunkin' Donut" on the corner, bowling on Saturday night and church on Sunday. Mr Margolis still treasures a gnome with the face of Ronald Reagan. The change is essentially

one of economics. Local building and property businesses have all but collapsed, defence cuts have devastated manufacturers and the latest estimates show that more than one in ten jobs has been lost in the New York metropolitan area in the past four years.

The result has been the alienation not just of the "Reagan Democrats" but even of some hardcore "natural" Republicans such as Mr Margolis.

New Yorkers traditionally voice dislike for just about everything, even the things they like, and the competition between Mr Bush and Mr Clinton fits the pattern: many do not exactly light up at the governor's name, but they dislike Mr Bush even more. The polls suggest that they do not like Ross Perot, the independent candidate, at all. In a statewide survey conducted this week by the Gordon S. Black company, Mr Perot won support of only 7 per cent. "I don't like being lectured at," Mr Margolis said.

Even state and local Republican candidates, including Alfonse D'Amato, the incumbent senator, are distancing themselves from Mr Bush, who last campaigned here in 1986. "Their own polls show that Bush is unpopular," Steve Pigeon, suburban coordinator for the Clinton campaign, told the *New York Times* newspaper, "and that's why they're doing it."



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## Serbs threaten more fighting after hitch in pull-out from Croatia

By ADAM LEBOR IN DUBROVNIK AND MICHAEL EVANS, DEFENCE CORRESPONDENT

A LAST-MINUTE hitch threatened to disrupt the otherwise smooth pull-out of the last Yugoslav troops from Croatia yesterday. Over the past week, Yugoslav soldiers have been evacuating the southern tip of Croatia, south of Dubrovnik, and were to have transferred this final strategic finger of territory to the United Nations by today.

However, Colonel Miodrag Miladinovic, who is in charge of the Yugoslav army barracks on the strategic Prevlaka peninsula, said yesterday that unless certain facilities, apparently not included in the pull-out agreement, were put under UN control the Yugoslav army would not withdraw. Colonel Miladinovic said that, if the Croatian police tried to take certain facilities, "there will be fighting". Although the peninsula is due to be demilitarised, the Croats fear that Serb irregulars based in nearby Montenegro will move into the area and once again threaten the city.

The withdrawal of the Yugoslav forces, supervised by

### Nothing is stable in Yugoslavia, with tension in Zagreb, feuding in Belgrade and food shortages in Sarajevo

UN and European Community observers, would remove the last Yugoslav army presence on Croatian territory. About a third of Croatia remains under Serbian control but supervised by the UN. The agreement guarantees access to Kotor bay, home to the Yugoslav navy.

In Bosnia, the headquarters of the expanded UN protection force is to be based at a health centre in Kiseljak, about 18 miles west of Sarajevo, military sources said yesterday. The location was chosen by Major General Philippe Morillon, the French officer who is to command the 6,000-man force.

The buildings of the medieval streets and houses of

Dubrovnik are pockmarked with shell damage. The shells had slammed into the ancient paving stones, punching a hole into the ground, producing shrapnel that gouged its way through churches and fountains, windows and cupolas, cars — and people. The siege of Dubrovnik last winter, with weeks of heavy bombardment, helped galvanise world opinion against Belgrade.

There was no substantial Serb minority in the city and little military logic behind the attack. Local officials say it will take years to repair the damage. Some treasures and works of art were lost. No shells have fallen on Dubrovnik since the summer, but the signs of war are everywhere. The hotels on the seashore are riddled with bullet holes, and sheets of tattered plastic, where windows should be, flap in the sea breeze.

The siege of Dubrovnik caused £2.5 billion worth of damage, say local officials, and the lives of 180 soldiers and civilians. But the city was never captured.

"The Yugoslav army knew that every attack on Dubrovnik was ultimately an attack on themselves, because it was an assault on the world," said Mr Sikic. "We were ready to fight for every house, for every wall: the only way they could capture Dubrovnik would be to raze the city to the ground. That would have made them criminals in the eyes of the world."

General Morillon's chief of staff in Bosnia will be a British officer, Brigadier Roddy Cordy-Simpson, and all countries contributing to the expanded force are expected to have officers serving on General Morillon's staff. Today, at Gleneagles in Scotland, Nato defence ministers are expected to discuss the humanitarian aid operation in Bosnia.



Liquid asset: Sarajevo citizens crowd round a pipeline to get fresh water, which is not always available

## Bread shortage adds to Sarajevo woes

FROM KURT SCHORK OF REUTERS IN SARAJEVO

CIVILIANS reeling from the worst fighting for ten days in Sarajevo emerged yesterday to find that bread was running out in the Bosnian capital, which is already struggling with electricity and water cuts.

Milling machinery at the city's main bakery was damaged by shells during three hours of relentless bombardment on Sunday and bakery officials said that they were also running out of flour. A lack of bread would deal a heavy blow to Sarajevo's residents. "Bread is the main food for us," Hamidija,

41, said as he queued outside the factory.

Heavy machinegun fire rattled out at dawn yesterday from the direction of Hrasno, west of the city centre. Sarajevo radio reported that Serb forces were sending troops into the western suburbs of Ilidza and Stup. But the city passed a relatively peaceful night after intense shelling, on Sunday had left at least 17 people dead and hospitals overflowing with casualties.

Sarajevo radio reported one person killed and several wounded yesterday in the

western suburb of Cengic Vila and at least one Bosnian fighter was killed and four wounded in heavy fighting near Gradacac.

The Belgrade-based Tanjug news agency quoted Serb army sources as saying that they were moving in on Gradacac, but gave no further details. Sefer Halilovic, the Bosnian defence commander, said the renewed fighting in Sarajevo was started by Serbs in retaliation for a breakdown in negotiations over exchanging the bodies of those killed in earlier battles.

The upsurge in fighting began shortly before Dobrica Cosic, the Yugoslav president, issued an urgent call for the Bosnian capital to be demilitarised as he left Belgrade for the Geneva peace conference on former Yugoslavia. Radovan Karadzic, the Bosnian Serb leader, told the Belgrade newspaper *Borba* that the war in Bosnia would be over by the end of the year. But Alija Izetbegovic, the president of Bosnia, who was due to meet Mr Cosic in Geneva yesterday, said he was not optimistic about the talks.

## Police seize federal ministry in Belgrade

FROM TIM JUDAI AND DESSA TREVIAN IN BELGRADE

ANOTHER blow in the Belgrade power struggle was struck yesterday as Serbian police seized control of the Yugoslav federal interior ministry.

The Serbian authorities claimed that the takeover was nothing more than the resolution of an outstanding "property dispute", but Ljubisa Radic, a senior adviser to Milan Panic, prime minister of the rump Yugoslavia, said:

"This could be a provocation by forces in Yugoslavia which do not like the democratic developments in our country." On Sunday night Mr Panic cut short a stay in Geneva where he was due to have participated in Yugoslav peace talks with Alija Izetbegovic, the Bosnian president, and Dobrica Cosic, his Yugoslav counterpart, who met yesterday.

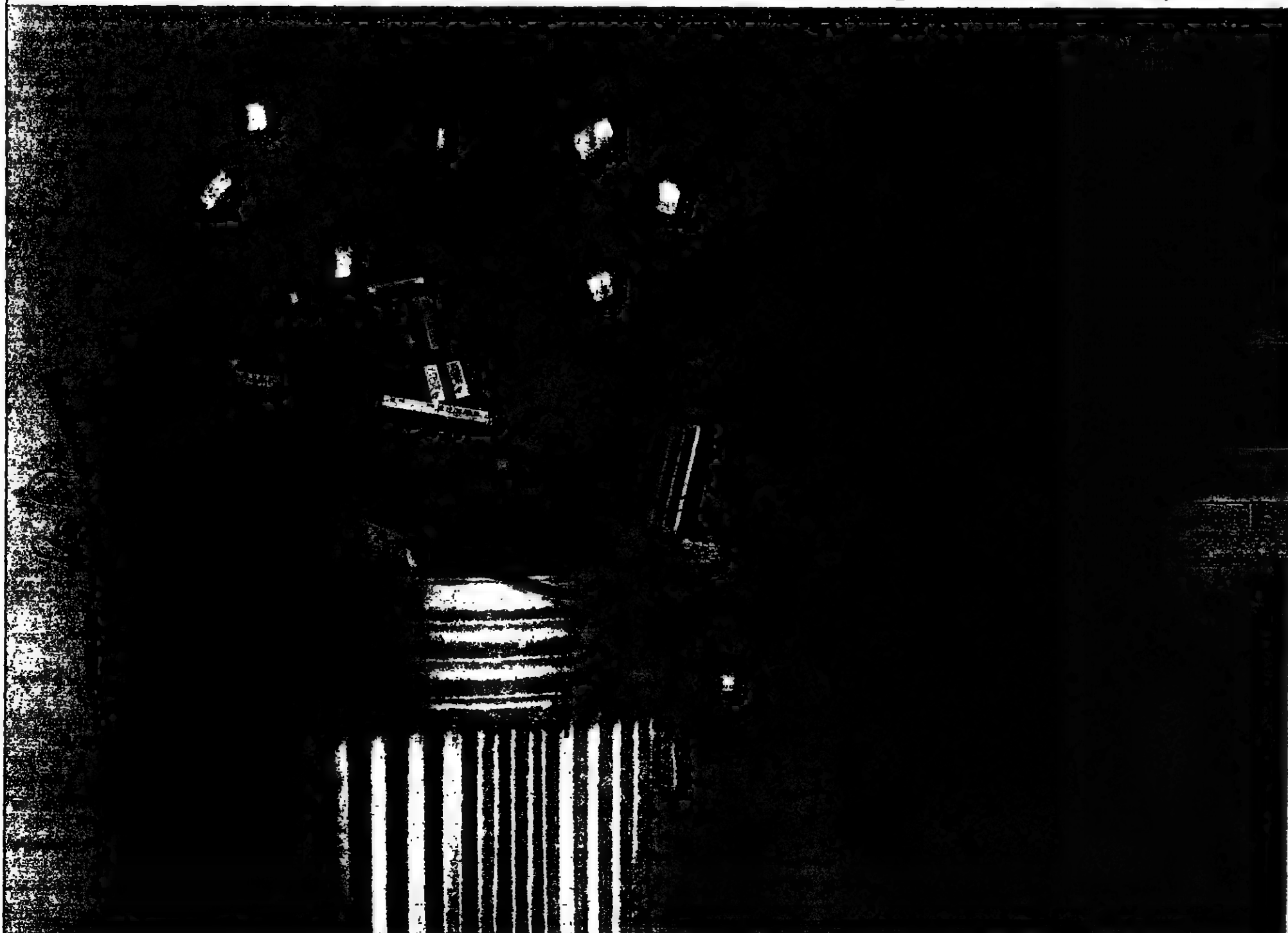
Yesterday morning Serbian police stood guard outside the federal interior ministry preventing federal police and even Pavle Bulatovic, the federal minister of interior, from entering the building.

Negotiations between the Serb and federal authorities were taking place yesterday afternoon, and on source close to Mr Panic characterised the affair as "little boys playing games". Diplomatic sources and unconfirmed reports said a detachment of Serbian special unit police, accompanied by police from the Serbian enclave of Krajina in Croatia, had taken the building overnight. The 2,000 Yugoslav federal policemen are heavily outnumbered by 40,000 republican police.

The seizure of the building by the police seemed to be a deliberate show of force. The government of Radovan Karadzic, the Bosnian Serb president, is now in open conflict with that of Mr Panic and Mr Cosic.



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## Omens bad as Patten brings colony plans to Peking

Chris Patten's ideas for reform in Hong Kong have already been attacked by China, and he is unlikely to find that the recent politburo shake-up has softened their mood

By DAVID WATTS, DIPLOMATIC CORRESPONDENT AND CATHERINE SAMFSON IN PEKING

CHRIS Patten, the governor of Hong Kong, will arrive in Peking this evening for a series of tough meetings with the Chinese leadership about the plans he laid out for the colony in his keynote speech earlier this month.

His visit is likely to set the tone of the relationship with the Peking authorities, which will be central to a successful handover of the colony in 1997. The Chinese authorities will, for the first time, be meeting a governor who is not a mandarin who considers himself well versed in the ways of Peking; they know that he is a root-and-branch politician who has the full backing of the British prime minister and who has produced proposals that fall within the parameters of the joint agreement.

Mr Patten's first visit to Peking follows a rare appearance by Deng Xiaoping, China's exclusive senior leader, to the congress of the Chinese Communist Party, and a period of great upheaval among the country's leaders. Mr Deng appeared just after delegates had endorsed his vision of capitalist-style economic reform, albeit in diluted form. But the omens for talks about Mr Patten's programme of change for Hong Kong are not good.

The agenda will be open, and the vexed question of the new airport will be discussed. British proposals to sell some land to pay for some of the project have been rejected by the Chinese and the government is waiting for their counter-proposal.

The Chinese media have also criticised Mr Patten's plans for giving the people of Hong Kong a greater say in the running of their affairs. He wants to separate the Executive Council from the Legislative Council and to create a new Executive Council, consisting of business and civic leaders. He plans a legislative committee to vet government business and a monthly governor's question time. He also wants a revision of the laws on freedom of information and the press. Mr Patten will lower the voting age to 18 and establish single-seat, single-vote constituencies for the 1995 elections.

All these measures chal-

enge China's public positions on Hong Kong and the domestic policies that have just been approved by the Chinese congress, which clearly separate economic and political progress. No senior Chinese politician has committed on his plans, but an article in yesterday's *Outlook Weekly* said that Mr Patten's proposals "damage Hong Kong's social stability, constitute an obstacle to the smooth transition and represent a fundamental violation of the Sino-British joint declaration."

The appearance of Mr Deng, 88, at the Great Hall of the People provoked excited applause and shouts of welcome from the delegates. Mr Deng, wearing a grey Mao suit, his eyes staring, walked and waved woodenly, while his daughter, Deng Nan, lent him support.

Like all his appearances, this one came just as speculation was growing that he was ill, or even that he had died. No foreign journalists witnessed his visit, but the event was shown on television news. There is believed to have been a fierce struggle between hardliners and reformists in the run-up to this congress, but Mr Deng's appearance presented an image of unity. He criticised the way in which Jiang Zemin, the hardline party leader, handled the economy earlier this year, but Mr Jiang was shown clasping Mr Deng's hands tightly. Neither man's remarks were audible, but Xinhua, the official news agency, said that Mr Jiang told Mr Deng his meeting with the delegates was "a great encouragement to him, pushing his enthusiasm to a new height."

Xinhua described Mr Deng as being "in high spirits and good health". The agency says that Mr Deng keeps an eye on the congress by reading a dozen different newspapers every day and trusted him as saying that the congress "is really inspiring the people". Mr Deng is far more likely to rely on highly placed informants for his news, but someone is not telling him the truth: few Chinese watching their aged leaders would describe the congress as inspiring.

Leading article, page 17



Wave power: Deng Xiaoping, left, seen in public yesterday for the first time in eight months, and Zhu Rongji, a new member of the politburo standing committee

## New men take the helm

THE following are the results of the Communist party election. General Secretary: Jiang Zemin. Politburo standing committee: Jiang Zemin, Li Peng, Qiao Shi, Li Ruihan, Zhu Rongji (n), Liu Huaqing (n), Hu Jintao (n). Other politburo members (alphabetical order): Chen Xitong (n), Ding Guangren (n), Wang Guangmiao (n), Jiang Chunyun (n), Li Lianjiang (n), Li Tieying, Qian Qichen, Tan Shaowen (n), Tian Jiyun, Wei Jianxing (n), Wu Bangguo (n), Xie Fei (n), Yang Baibing (n), Zou Jiahua (n). Alternate members: Wang Haobin (n), Wen Jiabao (n).

Central committee secretariat: Hu Jintao (n), Ding Guangren, Wei Jianxing (n), Wen Jiabao (n), Ren Jianzhi (n). Central military commission chairman, Jiang Zemin, vice-chairmen, Liu Huaqing and Zhang Zhen (n). Members: Chi Haotian, Zhang Wannian (n), Yu Yongbo (n), Fu Quanyou (n). (n) denotes new member.

## Grey-suited elite march to Deng's tune

FROM JAMES FRINGE IN PEKING

THEY came striding out, beaming to the rousing strains of *Marching Forward Along the Road*, an old Red Army song. Except for one who was in army uniform, they wore dark Western business suits.

The ten-minute cameo presented to the world's press yesterday by the all-powerful standing committee of the politburo, the Chinese Communist Party's highest decision-making body, came at the end of the 14th party congress. It was an insight into a party less open than it was at its last congress five years ago.

Though the congress, the first held in China since the collapse of the Soviet bloc, endorsed a report backing the reformist economic blueprint of Deng Xiaoping, the senior leader, political openness in the party of 51 million members is still anathema. The party is determined to retain its absolute grip on power into the 21st century, even as leftist diehards lose ground.

As far as political openness is concerned, they have gone backwards, said one Western diplomat here yesterday. "But there is no doubt Deng's line to bring in a new crop of young people who back his economic reforms is working." Only one member of the new ruling elite has been identified as a man with the kind of vision that might lead one of communism's last bastions towards eventual political reform.

Zhu Rongji, Mr Deng's protégé and the only member of the new 20-man politburo who has evinced any outstanding interest in political reform, shot up from being only an alternative member of the central committee to the standing committee, the body that runs China day to day.

Mr Zhu, 64, a tall, snappy dresser who sometimes sports a leather jacket, has suffered acute embarrassment in the past from being dubbed "China's Gorbachev" in the Western press. "It's the kind of sobriquet that could be the kiss of death in a capital where Gorbachev's name is not one to conjure with," noted one analyst. Maybe that is why he was the only leader looking solemn when he met the press yesterday at the end of a congress from whose deliberations, despite China's "openness", journalists had been largely excluded.

Mr Zhu was chosen earlier this year to oversee the vital task of economic reform, something he learned while setting up the multi-billion-dollar Pudong industrial project near Shanghai. He may now become China's economic tsar. But he lacks the political clout to become Mr Deng's heir apparent. This may be no bad thing: Yu Yaobang and



Mao Tse-tung: gave his successors short shrift

— whose downfall occurred when he showed sympathy for the students in Tiananmen Square — happily fielded questions at the end of the congress, this year there was no such openness. Mr Jiang, after introducing his top team, strode out of a reception room at Peking's Great Hall of the People without responding to a single shouted query.

A military man, General Liu Huaqing, 76, a veteran of the Long March and confidant of Mr Deng, joined the standing committee, and Qiao Shi, China's shadowy security overlord, retained his place. Diplomats interpreted this to mean the leadership was prepared for Mr Deng's inevitable passing from the scene and was preparing the ground for a smooth succession.

It also indicated that the military's role in government is being retained in case of possible unrest following the loss of millions of public sector jobs as the free market system is introduced. A recent party report said state industries must be cut free from government management and either be profitable or die.

If there was no indication of political reform, at least the resignation from the central committee of leftist hardliners such as Li Ximing, the Peking party boss, He Jingzhe, the acting culture minister, and Gao Di, the *People's Daily* editor, indicated the defeat of efforts to make ideological

purity dominate the party agenda. These men were all associated with the purge of liberals after the Tiananmen Square killings, and with ignoring Mr Deng's economic reforms.

The week-long congress was in effect an affirmation of the pragmatic policies of Mr Deng, who over the past 14 years in power has reduced state control over the economy in favour of "socialism with Chinese characteristics", in other words Adam Smith's theories of free market capitalism. Although Mr Deng has no formal position — he resigned from his main party posts at the last congress — he remains the main power-broker and policy-maker because of his immense prestige in the military and party. Mr Deng's trip to the booming economic region of southern China last January was the catalyst for the current revival of fast-track economic reforms after two years of leftist austerity.

One surprise appointment to the standing committee yesterday was that of Hu Jintao, 49, party chief of Tibet, who oversaw harsh crackdowns on anti-Chinese, pro-independence protests in 1988 and 1989. Some of the so-called "princes" — sons of high-ranking officials whose rise had been predicted, failed to win places on the expanded central committee, possibly because of public criticism of alleged nepotism.

## Former aide accuses ministers of trying to make Gorbachev into scapegoat

By DAVID WATTS, DIPLOMATIC CORRESPONDENT

THE Russian government is trying to make a scapegoat of Mikhail Gorbachev, the former Soviet leader, according to Aleksandr Yakovlev, once his close adviser and confidant, and the constitutional court hearings into the legality of the Communist party were intended to mark him as the principal target.

But the two men differed on whether Mr Gorbachev should appear at the hearings and Mr Yakovlev backed away from his former patron in public evidence. "I told him I would go, but he said he could not

take part because this trial was a political one. He did not want to participate in a political trial, taking into account the old political trials of the Stalin period.... It was a personal question and everybody should make the decision himself."

Mr Gorbachev apparently was concerned about possible examination of such incidents as the killing by Soviet forces of supporters of Lithuanian independence in Vilnius and his subsequent failure to take any action to punish those in authority in the area. Mr Yakovlev said he had heard

General Dmitri Yazov, who was then Soviet defence minister, tell Mr Gorbachev that he had given no orders to open fire in Vilnius. "Who knows who is lying?" Mr Yakovlev said. "I don't know."

Mr Yakovlev had nothing but contempt for the quality of the questions and questioners put up by the government. "These leaders are not very serious. Symbolically speaking, I was a little offended that a party of 19 million failed to find five clever men to ask questions."

Explaining why he had begun to distance himself

from Mr Gorbachev last year, he said: "I left him as a protest against his personal move to the right. The men on the right were becoming stronger and stronger and their influence on him was getting stronger and stronger."

Mr Gorbachev's mistake had been to believe that the Communist party was capable of reform, Mr Yakovlev told *The Times*, but he [Mr Yakovlev] had wanted to see the Communist party develop as an opposition as part of a two-party system. "It would be useful for the Communist party, too, because they would have to change their policies and their leadership. But they preferred suicide and they expelled us."

He was still fundamentally opposed to the high-speed reform programme, but he very much wanted it to succeed, saying that he would feel responsible to a certain extent if it failed. "It would be a tragedy for me, as well, if they failed."

"The Polish shock therapy has not succeeded," he added, insisting that the fundamental basis of economic reform in the former Soviet Union must be the privatisation of land. "Our peasants have never been owners of land for 1,000 years."

He would also free new investment from taxes for at least five years and press for the establishment of Russian international exchange banks that would be able to manage the necessary international exchange transactions. Most important of all to the reform process was Western investment to provide a sound basis

## Mood is mutinous in Russia's increasingly shabby navy

FROM CHRISTOPHER WALKER ON BOARD THE ADMIRAL VINOGRADOV

THE once mighty Soviet navy has fallen on hard times as shown by the shabby living conditions for the 340 men on board this supposedly modern destroyer, one of the few Russian ships with sufficient cash to leave home.

As American, British and French sailors were allowed to roam over its decks at will, it was evident that the obsessive secrecy of the red fleet has given way to openness and a lack of money for fuel and salaries.

"The Russian sailors are all friendly, but they have been refusing to come out to dinner ashore in Bahrain because they cannot afford it," Lieutenant Scott Sigler, from Dallas, said.

Deployed to the Gulf from Vladivostok to help to enforce sanctions against Iraq, the destroyer was unable to disguise the problems facing the smaller, leaner and increasingly ill-disciplined Russian navy.

These have already surfaced at the Severomorsk, north of the Arctic circle, where sailors have staged strikes and their wives have demonstrated against high prices for a dwindling supply of food and consumer goods.

The Northern fleet's flagship, the aircraft carrier *Admiral Kuznetsov*, is in a Severomorsk dry dock, while the second big carrier is up for sale, apparently to China or Iran; a third was scrapped before completion.

There are no Russian naval ships in the Indian Ocean or the Mediterranean. The crew of a coastguard frigate mutinied recently after her



In Eisenstein's film the starving men of the battleship Potemkin celebrate their mutiny

plained of repression by Russian officers. The ship then sailed to the Ukrainian port of Odessa.

Despite an attempt to put on a show for the first American sailors ever given such freedom to inspect a Russian ship, the ethnic tensions on board the *Admiral Vinogradov* quickly surfaced. A Russian lieutenant gruffly ordered away a group of shabbily dressed Muslim seamen from Tashkent before they could voice their grievances. To try to mask the ethnic divisions, sailors are now asked to swear an oath of allegiance, not to the motherland as before but to the *otcheshtvo*, the old Russian word for "fatherland".

Throughout the Russian fleet, the red hammer and sickle has gone, replaced by the blue and white St Andrew's cross.

years ago this year by the founder of the Imperial navy, Peter the Great.

But even that has yet to win acceptance among the men. "Changing the flag is humiliating for many of the men," Commander Alexander Donchenko, the spokesman for the St Petersburg naval district, told *Gulf News*. "Our greatest victories were won under the red banner."

Doers were slammed to prevent visitors seeing the fatty sausage for officers and red cabbage for seamen served in tatty quarters that contrasted painfully with the well-appointed conditions in three Western warships moored close by.

"It is sad," a senior officer in the French anti-submarine ship *Georges Leygues* said. "We doubt they have the resources to run their weap-

## NEWS IN BRIEF

### Russians extend test ban

Moscow. President Yeltsin signed a decree yesterday extending Russia's nuclear arms test moratorium until July and appealed for a permanent international test ban. The decree, prolonging a one-year freeze that expires this month, responded to similar recent moves by France and the US.

Britain and China, the other two main nuclear powers, have said they will continue tests. But the declarations by the other three countries bring a general ban — or, more likely, strict limits on tests — closer than ever. (Reuters)

### Failed attack

Rome. An 11lb bomb was planted outside the offices here of Confindustria, the employers' federation. A little known group, the "Nucleus of Fighting Communists", said it placed the bomb, which failed to explode. (Reuters)

### Poison charges

Seville. Thirty-four people appeared in court here accused of poisoning more than 20,000 birds in an Andalusian national park with banned pesticides. They include two former senior officials of the Andalusian government. (Reuters)

### Tongue tied

Helsinki. A Finnish market trader was fined ten days' pay for using the term "Russki" in a dispute with a Russian-born dealer. The *Helsingin Sanomat* newspaper said the court had taken on the hopeless job

## East 'bankrupt in five years'

By DAVID WATTS

EAST European economies face imminent collapse unless privatisation and market reforms are rapidly speeded, according to the Adam Smith Institute. The right-wing think tank said eastern Europe's dreams of privatisation were largely a sham "unsupported by practical measures".

On present performance it would take Hungary, Poland and the Czech and Slovak republics an average of 28 years to privatise only half their state firms. In reality, most of them will be bankrupt and closed in five years because their state of health has proved to be much worse than expected.

The reform process will become politically and social-

ly unsustainable and will be abandoned, causing major economic and political destabilisation from which eastern Europe will take many years to recover, wrote the authors, noting that closures would take unemployment to at least 40 per cent.

The report is critical of eastern European governments for concentrating the foreign-aid funds provided by the World Bank and others on privatising a handful of successful enterprises while ignoring the more important task of getting the bulk of ailing state firms into private management.

Meanwhile, Russia will ask the G7 group of the world's leading industrial countries for a substantial

realignment of its debts when the group meets tomorrow. Alexei Mozhin, head of Russia's department for international liaison, has said that the country cannot meet its repayment schedule for 1993-94.

Germany, Russia's main official creditor, has adopted a tough line on repayment, fearing that a rescheduling would place further strain on Bonn's budget. The United States, however, is keen to agree a new debt package to aid the reform programme.

In West Germany, the government denied yesterday a report that it was secretly contemplating imposing a forced loan on taxpayers to help pay for German unification.



# Whose child is it anyway?

New government proposals can prevent adoption even if the child's home country gives permission. Heather Kirby reports

Adopting a child abroad is a very complicated procedure. The idea that a couple can go to South America with a suitcase full of money to buy a baby is pernicious nonsense, according to Claire Anderson, of north London, who has three adopted children, two from El Salvador and one from Paraguay.

Mrs Anderson is a member of Stork, an association of parents who have completed successful inter-country adoptions, and she is angry at some of the proposals announced yesterday by Tim Yeo, under-secretary of state for health. Her concerns echo those expressed by others involved in this sensitive and difficult route to adoption.

At the moment, anyone who wants to adopt a child abroad, gets in touch with a lawyer or orphanage in the country to find out what the procedure is. They will get any necessary documents and affidavits approved here by an official notary, these are forwarded to the child's country where they are presented to a court which makes the final decision on whether to grant permission for the adoption and for the child to be given an exit visa. Usually the adoptive parents do not have to appear in court although they may have to go to the country's embassy here and the British embassy over there.

The birth mother may also be asked to swear affidavits and the adoptive parents may have to pay fostering charges that accrue while the court case is being heard. A home study, to assess the suitability of the would-be adoptive parents, is necessary if demanded by the country from which the couple wish to adopt, most countries do ask that this should be done.

Once the government's proposals are in place, prospective parents will need to go through procedures required by their own local authorities and gain an "authorisation to proceed", before they even think of identifying a child or the country from which they want to adopt. These procedures will include a home study, medical checks and police checks.

Among the government's recommendations, the first review of the law relating to adoption for 20 years, are proposals to make it a criminal offence to bring a child to the UK without first obtaining this authorisation. This, according to the review, will be issued by the health department but it will be up to individual local authorities to provide the back-up services. "Services" can mean obtaining anything up to 22 documents depending on what the foreign government requires in addition to the procedure automatically required for authorisation from the

health department. These requirements might include providing fingerprints, copies of marriage or birth certificates and references from banks and employers.

Local authorities either carry out the home visits themselves or contract them out to an independent social worker. Either way the cost to adoptive parents of the home assessment could be as much as £3,800, according to Barbara Mosyn, the chairman of the Campaign for Inter Country Adoption, which was launched two years ago. Last year charges involving Romanian adoptions ranged from £200 to £2,000 for home studies. "Home visits usually last one hour and can be conducted over a period of between six and 18 months. One of the recommendations in the report is that prospective adopters should receive counselling about adopting from abroad which we consider is a very basic issue, the problem is that not many social workers will be qualified to give it."

What Mrs Anderson and the others are afraid of is that local authorities will claim that, unless they receive extra funding, they will not be able to cope with the new work in addition to that which they are presently required to undertake connected with the Children Act. Requests therefore will take so long to process that people will become disheartened and give up.

Mrs Anderson says: "Local authorities can be very obstructive and even hostile because their ethos is against these sort of adoptions. They have many older or handicapped children they need to place who are their first priority. Social workers can make you feel very guilty if you are not prepared to cope with a disturbed or maladjusted teenager and people like us come in for a lot of scoffing because we want a baby which is a perfectly natural desire."

The British government gives the impression that only our laws are adequate for making sure people are all right to be adoptive parents as if places like El Salvador only had a third world set up, whereas in fact I was enormously impressed by the procedures we had to go through in both of the countries we adopted our children from. They were extremely punctilious and every document had to be triple authenticated. In Paraguay the natural mother went through a number of psychology tests before the court agreed to her request to have her baby adopted. It took about eight months altogether.

"There is a case for some sort of system that helps to make the process more speedy and efficient but Stork argues that there should be a special agency to deal with inter-country adoptions such as



Mother love: Deborah Fowler with Michael, now aged three, who was adopted by the Fowlers from Romania in 1990

those that exist in other countries, including Sweden, France and Germany, rather than leaving it to individual local authorities."

Once the new procedures are in place, if a child is brought to the UK without the proper authorisation and temporary admission has been granted by immigration officials, local authorities will have the power to apply to a court and have the child put into care while they make their own investigations.

Peter Thurnham, an MP who has made foreign adoptions a special interest, said: "I have raised the issue of a better appeals procedure with the minister because, while in some parts of the country there is considerable help from local authorities, in others they are obstructive. I have had people coming to me who say they will have to move in order to adopt a child from abroad. At the moment it is like a patchwork and that can be heart-breaking for people who happen to live under the rule of the wrong authority which has the power of life and

death." Announcing the new proposals Mr Yeo said that they were designed to protect the welfare of the child and "eliminated corrupt practices". Terry Connor, the chairman of the British Agencies for Adoption and Fostering (BAAF) who welcomed them says: "Concern about children who come into Britain for adoption has been growing for some time. The consultation document's proposals represent a real step forward in introducing safeguards. These won't prevent inter-country adoptions from happening when that is really what is best for the child, but they will go a long way towards preventing abuses such as trafficking in children."

Some 700 children are estimated by BAAF to have come into Britain from foreign countries last year. But that number, it says, was exceptionally high because of the public sympathy generated by the plight of children in Romania.

Deborah Fowler and her husband, Alan, who adopted two-year-old Michael from Romania in 1990, this year tried to adopt a second child. But under Romania's new system of foreign adoptions they were deemed too old (the Romanian national adoption committee stipulates no more than 35 years between a mother and child, no more than 40 between a father and child) and already had too many children (the Romanians say adoptive parents should have no more than two children). The Fowlers had received approval from the health department for a further adoption, after an addendum to their home visit and new medical checks. After being turned down by Romania, they tried Bulgaria but were turned down there on the basis that Mr Fowler was too old.

Earlier this year the government gave a grant of £43,000 for six months to establish the Overseas Adoption Helpline to give advice to those hoping to adopt abroad. It has been given further funding to

carry on to the end of next March. Obviously it is right to try to stop the alleged trade in babies but Margaret Bennett, a solicitor who is the chairman of the British Advisory Board on Inter Country Adoption, questions whether the bringing of a baby into this country by couples who have complied with the laws of the child's country of origin should be criminalised.

"We, as well as many interested groups, have put forward a paper to the health department with our view that criminalising a few couples who come through immigration with a baby is not appropriate. I cannot think of any country in the world where they have made it a criminal offence to bring a child into the country in similar circumstances. After all the hoops they have been through, what are you going to do? Are they going to fine them? Send them back with the baby? They have not abducted it, they are the legal parents of these children in accordance with the laws of the child's country."

## SIDE LINE

### Pupils do it in stone

The new library is lettered in the Gill tradition

Half a century after the engraver, letterer and sculptor Eric Gill died, his spirit and philosophy live on through his last pupil, David Kindersley.

This week apprentices from Kindersley's Cambridge workshop are perched on scaffolding above Euston Road, adding the ring of the hammer and chisels to the white of London traffic as they cut the words THE BRITISH LIBRARY in enormous Roman capitals from blocks of red Scottish sandstone.

Kindersley, now 77, bearded and with a long, balding head not unlike Gill's, wears the proceedings in rich wools of a grey sweater, as he talks about his mentor.

He says: "Gill believed in making things that people wanted. He used to talk about 'this art nonsense' and ask, 'What's it all blooming well for?' Most especially, he was totally at variance with the teaching of art in art schools."

Like Gill, Kindersley insists that his apprentices come to him free of any artistic training. He points to the letters ranged along the scaffolding: "Cornelia arrived from Holland on a bicycle; she had been a primary school teacher, but felt she needed to make things with her hands. Guy used to be a civil servant. Owen has just left high school in Yukon."

Once in his workshop, apprentices learn, in the Gill tradition, that their work must not be an exercise in self-expression. "Today", Kindersley says, "we are inclined to exult the virtue of our identification with what we are doing, but it was not something Gill ever considered."

Kindersley's wife, Lida, explains: "The first task we set every apprentice is to produce one perfect Roman alphabet. They go over it and over it and finally cut it, and David goes over it again and they cut it again, until it's finally done. After that, you've got it fixed in your head. In a way, you've been humiliated, told, 'It's not you that matters, it's what you're making.'"

MAGGIE PARHAM

● An exhibition of Eric Gill's sculpture opens at the Barbican, London, on November 11.

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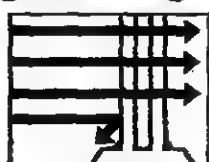
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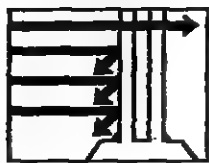
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## My part in his story

Half a century on, a former desert war correspondent recalls Montgomery's rout of Rommel at El Alamein

When Rommel and his Afrika Korps swept into Egypt in the summer of 1942 a London paper carried its Cairo correspondent's "Will the Egyptian army fight stop thousand words please". The reporter cabled back: "No no thousand times no".

He was right. Egypt took no part in the desert war, and the Eighth Army, had to face Rommel alone. In his first address to his officers on arrival in the desert, Monty said: "We are going to finish with this chap Rommel. It will be quite easy. He is definitely a nuisance." Yet he did not strike until October 23, and he did so with a barrage the like of which had not been seen or heard by British troops since 1918. Victory came on the 12th day.



No slouch, no beret: Monty revisiting Egypt

"Well," he went on, "it has been a fine party. We have won a complete and absolute victory. I have captured General von Thoma, Rommel's deputy. He was brought here last night. He dined with me and slept here. At dinner we fought the battle over again. It must have happened to few generals to capture their opponent and then discuss the battle with him."

As correspondent of the News Chronicle, I had shared an army car throughout the battle with Geoffrey Hoare of The Times and our conducting officer, the unflappable Mar-

quis of Ely, no less. All over the desert, bands of enemy troops, some on wheels but most on foot, were heading west with only one thought: to get out of Egypt as fast as their jolting trucks or weary legs could carry them.

Stragglers who couldn't keep pace were looking for someone to round them up. In an hour we must have passed at least 50 trucks packed with prisoners. Many of the trucks were German or Italian, driven by the prisoners themselves. The Italians all looked thoroughly happy: they waved their hands and cheered us as we passed. The Germans were sullen and silent. And how were our own men taking it? Well, as Geoffrey Hoare remarked: "Looking at their faces, you couldn't tell whether they were winning or losing. In victory and defeat they're just the same."

Fifty years on, I can vividly recall the sight of a young German lying dead beside a shell-smashed car, next him a postcard signed 'He, from Uckermünde in Prussia'. "How are you liking it in Africa? Have you seen any fighting yet?" There, in that body lying in the desert, the fraud had her answer.

WILLIAM FORREST

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THE TIMES JOHANSENS PRIVILEGE BREAKS TOKEN 3



## Putting a spring in your step

**Siobhan Brooks discovers that the flat-footed can lose their waddle and learn to walk tall**

As a child I was mortified by the way my mother walked. I felt sure every eye in the street was riveted to her bottom as it swung back and forth over her delicate ankles. I listened for the muttered curses of people who bridled at her snail's pace on crowded pavements. As time went on she walked less and less. Now, in spite of a bunion operation, she thinks of 100 yards as a long way. Then, to my horror, a year ago I noticed that my son has the same waddling gait, flat feet, and the beginnings of a bunion. He is four years old.

Something, surely, could be done, other than a bunion operation in 50 years. I harangued the GP three times before he referred me to an orthopaedic surgeon. He was adamant as the GP. Flat feet stay flat. Bunions always grow. (He offered to cut mine out when they got bigger). I gave up.

Luckily for my son, I slipped a disc and came across a physiotherapist who looked at my (one) flat foot. "That's what's putting a twist on your back. A flat foot makes one leg shorter than the other. You should get some orthoses to straighten your walk."

Orthoses, pieces of moulded plastic that fit in the shoe, have been around for about 30 years in America, but it was the cascade of sports injuries in the 1980s that made them popular. Several sports manufacturers sponsored trials which gave "bio-mechanical" theories more credibility. The runner Tim Hutchings tried orthoses in 1989 after four years of struggling with shin pain. "It was an overnight change," he said. He went on to run for Britain in the 10,000 metres at the European Cup and came second in the world cross-country championships that year.

My own orthopaedic surgeon said of orthoses (the use of aids to assist weakened joints): "I was hoping it was becoming less fashionable. There is very little evidence it does any good." But there are others, such as John Challis, at the North Middlesex Hospital, and Keith Porter, at Birmingham Accident Hospital, who do refer their patients to podiatrists (chiropodists who use orthoses and whose analysis of foot function is called "bio-mechanics"). Mr Porter says: "People come to me for a second opinion when they are due for

malalignment will discover the problem only under intensive training conditions."

Making a cast of the patient's feet, and building the precise correction into a lightweight material slim enough to fit into a shoe and strong enough to kick a football with, is an expensive business, and the correction is only effective while the device is in place. Controlling the angle of rotation of the major joint in the ankle (the talus) is supposed to realign the knees and hips and enable a person to balance without tensing the wrong muscles. After a few months, people can measure an inch taller because they are no longer sticking out their bottom or poking forward with their head.

Unlocking yourself from the position which you were stuck for years can be quite an ordeal. My son's contorted walk has made him stiffer than I am. He cannot touch his toes. Richard Waller, a podiatrist in Boston, Lincolnshire, who specialises in treating children, says: "With children, it's not only the rest of their body which adapts

to flat-footedness. It affects their mental outlook, humping along, getting left behind. They start thinking, 'I'm not a good walker', they get less exercise, and they are less confident."

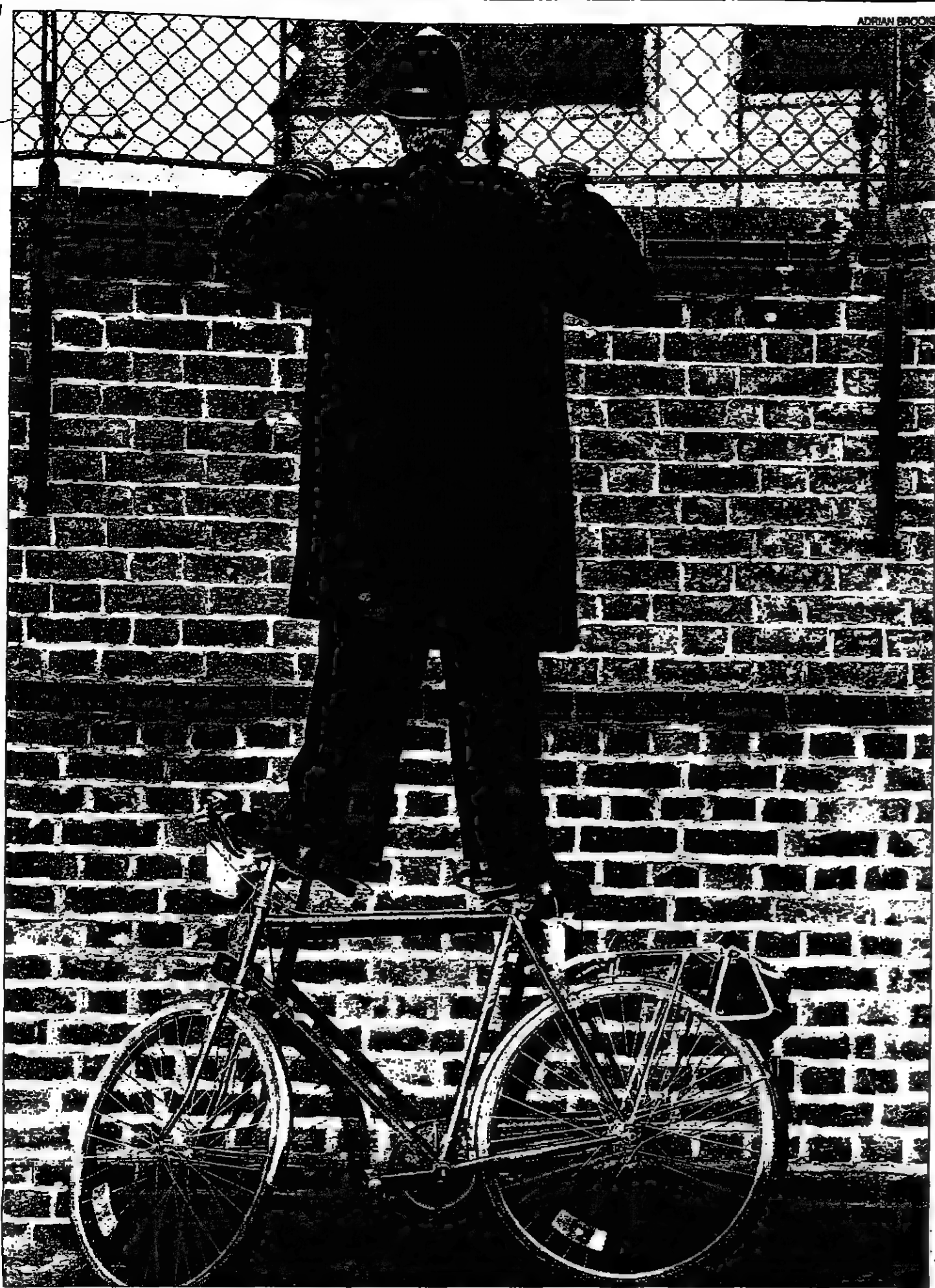
Children may be incubating problems which will cause them pain later in life. Only 2 per cent of children have bunions, a painful and disabling swelling of the bone below the big toe, but 50 per cent of elderly women suffer from them. Podiatrists no longer think that they are the price paid for a lifetime in high-heeled, pointed shoes (although that may be a factor). Research now points towards genetics. When Rome University Medical School X-rayed the feet of several hundred Egyptian mummies, it found them to have immaculate feet until they started marrying northerners, after which they developed bunions.

Tim Kilmarin, senior tutor at Northampton School of Podiatry, is looking at the effects of orthotics on the progress of bunions in 2,000 Kenyan children. "I took nine-year-olds because I wanted a decent number of well-formed bunions (150) before the onset of arthritis," Mr Kilmarin's results, due to be published shortly, will indicate whether a permanent improvement in the bone structure of children's feet is possible, but there are long-term benefits just in reducing the wear and tear on joints which are not moving correctly. If you can slow down the damage being done by arthritis and bunions, the patient may avoid a painful old age and a succession of operations.

Many orthopaedic surgeons remain sceptical. Mr Kilmarin explains: "You could fill a sack with the appliances orthopaedic surgeons have seen come and go. Most of them are as much good as rubbing a potato on your head."

And while the risks appear preferable to those of an operation, when stress is redirected through the body, it may be hammering at a weakness elsewhere. Mr Hutchings developed hamstring trouble in the years after his orthoses dealt with the shin pain. He suspects the two are related. Mr Garmonster warns: "If the patient finds no relief, or new aches and pains are getting worse after a month, it is essential to go back, before you have a new injury to contend with."

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A policeman's lot: years of pounding the beat are said to have taken their toll on many officers' feet and given rise to the slang name flatfoot

## A life lost with the job

Personnel officers, new guests at dinner parties, happy families sitting about their happy homes playing Happy Families all know it. You are what you do.

We are defined by our occupation. Whether that information is filled in on an application form or imparted over a glass of sherry, that is the label society (everyone who isn't us) attaches to us. When recession rips off that social sticker, we, too, become un-stuck.

To have a job is to have a structure to your existence — not merely the reason for getting out of bed in the morning, but the wherewithal to own your own bed; what time to get up, what to wear, which bus to catch, how to spend the hours until bedtime. The loss of a job is akin to bereavement, the loss of an entire way of life.

Many employers imposing redundancies now offer counselling, though this seems in many cases to focus on financial matters: how to invest the "handshake" — perhaps in shares of the streamlined company you have just left. Such help is as appropriate and inappropriate as the visit to the solicitor after the loss of a loved one. Sure, you need to know who the executor is and how to pay for the funeral, but it's little help with the practicalities of what to do with the old suits and who you

will kiss goodnight to, how to face each morning, and why you should go on at all.

Those who counsel the newly bereaved report that comparable emotional stages have to be undergone with the loss of a job. Disbelief — this isn't happening, this isn't happening to me. Anger — how could they, after all my years of service? Feelings of betrayal, worthlessness, disconnection with the world at large, and daily routines in small.

Part of the message intended to give meaning to the recently redundant is about silver linings. Consider what you hated about your work — well, you won't have to do that now. Reflect on your hobbies, or "leisure interests" as they are now termed: think how much more leisure you'll have to do fishing or train-spotting or doing sub-aqua photography. Cold comfort. A hobby is by definition what you do in your spare time, something there's never quite enough time to do — not what you elect to do when there's all the time in the world. "There are two tragedies in life," Shaw reckoned:



DAVINA LLOYD

"One is to lose your heart's desire. The other is to gain it." Even if you longed for more time, it's not what you really wanted. Redundancy not only turns a single life upside down, but inverts all the connected lives. The old family card game bears witness to the way we all saw ourselves. Many a wife, whether willingly or not, took her life-label from her husband. Mrs Burn the Baker's wife, Young Master and Miss Burn, too. How is it for Mr

Burn, the former Baker, to be designated Mr Mopp, the part-time clearing lady's husband?

"Sorry, not at home" is the proper Happy Families response. Chances are, for the family with a redundant Dad, that he probably will be. Male pushers of buggies and supermarket trolleys may not be New Men, by choice. If the wife — who has not previously wanted to or within the family been allowed to work — finds employment, economics dictate that she must take it.

Could it be that all this offers new opportunities to more of us? If Mr Burn is released from the social expectation of bread-winning, he may take to the notion of minding the little Bunnies in the oven, and Mrs Burn may be able to retrain as a brain surgeon — or a redundancy counsellor. It requires a general change of mind and heart.

Such thoughts and current events may put us beyond empathy and prejudice, to a broader understanding of both the job titles and the euphemistic labels, "freelance", "consultant", "undergoing retraining", "just restructuring my work pattern". There, but for a brown envelope, go most of us. In the next round of rationalisation, perhaps me or the chap next door, it could even be UB40...

## Hooked on a quiet cup of caffeine

CAFFEINE is the most widely consumed mood-altering drug in the world. It is found in a greater range of drinks, foods and medicines than people think, including cola, chocolate, tea and painkillers.

Regular coffee drinkers do not tend to see themselves as drug takers. But heavy users who consume more than three to four cups of ground coffee or six of instant a day may find themselves feeding an addiction, as may a child who drinks large quantities of cola.

● Caffeine can help to increase vigilance, but there is no evidence that it improves intellectual performance. Nor is it an antidote to alcohol or hangovers. It may make driving more dangerous after drinking because it heightens alertness but not reaction times.

● Caffeine aggravates the symptoms of a hangover because, like alcohol, it stimulates the kidneys and increases dehydration. It is included as an ingredient of painkillers because it increases their analgesic power and speeds their effects.

### BOTTOM LINE

What the tea or coffee addict needs to know

- Tolerance levels for the drug vary. Anxious, nervous people are more strongly affected. Some say they cannot drink a single cup of coffee before bed without suffering disturbed sleep, while others claim several cups have no effect. But laboratory tests show that a cup of strong coffee drunk an hour before bed will disturb the sleep of most people, causing restlessness.
- Doctors say that up to 400 milligrams of caffeine a day is unlikely to cause side-effects or dependence. But it is easy to exceed this level: three cups of ground coffee (115mg of caffeine each), a can of cola (40mg) and a four-ounce bar of plain chocolate (80mg) would take you beyond it. Instant coffee (65mg an average cup) or tea (40mg) would give a lower score.

● A report in the current issue of the *New England Journal of Medicine* suggests that even moderate caffeine users who drink two or more coffees a day (or equivalent) may suffer withdrawal symptoms, including headaches, drowsiness and fatigue. The only cure is... another cup of coffee.

● Caffeine has been linked with cancer, heart disease, cholesterol, infertility and birth defects in recent years, but in all cases the evidence is inconclusive. An analysis of 20 major studies published this month concluded that coffee drinking does not increase the risk of heart disease and stroke in healthy people.

● The British are among the largest consumers of caffeine in the world. Although we come way down the league of coffee-drinking nations, consuming less than half that drunk in North America, our thirst for tea more than compensates. We consume twice as much caffeine as the North Americans and six times the world average.

JEREMY LAURANCE

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Lynne Truss

### Retune your tranny and take to the streets in solidarity with the oppressed Radio 4 listener

Since I spent my entire weekend preparing for next Saturday's planned march on Broadcasting House, I could hardly believe my ears when they said that the thing was cancelled. "Cancelled?" I said. "That's all very well, but what am I going to do with all these balloons?" It had taken hours to blow them all up, and I was not only red-faced and breathless but covered in indelible black marker-pen, from writing smudgy "Save R4 LW" on surfaces that kept going squeak and slipping sideways. Penitently, I kicked the balloons about the room, and turned up *Desert Island Discs* until the neighbours pounded on the wall. No march, then. No flipping march. No opportunity to demonstrate, in the words of our leader, that "the decent people of Britain... have been taken for granted for the last time." For a moment I was fired by the wild, defiant idea of attending the march regardless, and parading down Oxford Street in splendid isolation. But then I realised it wouldn't be worth it. Reporters would assume that, as a Radio 4 Long Wave supporter, I was necessarily opposed to news, and lived with my head in a bucket. They would think I was marching on my tod because I hadn't read in the newspapers that nobody else was coming.

I can think of only one excellent reason for cancelling the Save Radio 4 Long Wave march on Saturday: that it might appear a feeble cause compared with the jobs of 30,000 miners, to be protested on Sunday. But the true reason for calling it off gave me greater cause for concern. The BBC governors have evidently promised that Radio 4 will keep its long-wave frequency until listeners everywhere can get Radio 4 on FM. But given that the BBC currently insists that nearly everybody can get FM already, I don't consider this much of a concession, quite honestly.

And the feeling of being fobbed off is a familiar one. When listeners complain to Feedback that the FM reception is terrible, the BBC technical people calmly reply that actually, no it isn't. "It is," people insist. "No it isn't," comes the reply. Attach your portable tranny to an aerial on a 30-foot pole, they say, and you'd be surprised. Well yes, I'm sure I would. I worry, furthermore, that our leader, Mr Mackinnon (whom God preserve), is a mathematics teacher, who has been tricked by a cunning appeal to his logical mind. He says the governors have promised 100 per cent FM reception, whereas (ah-ha!) FM will never cover more than 98.3 per cent of the UK. Ergo, the whole thing is logically ruled out. Well, call me a tired old cynic, but personally I wouldn't put QED at the bottom of that one.

Perhaps I just fancied the fresh air, of course. There's nothing so bracing as a good march, and we Radio 4 listeners don't go out much, naturally. In fact, if one is to believe the stereotype depicted in most stop-those-damned-wireless-whingers editorials in the press, we are so busy brushing our Hush Puppies and listening to *Gardeners' Question Time* (no, no) that we might as well be locked up together in a Home for the Incurably Bewildered on the Isle of Wight. They seem to have got us confused with new fanciers; and they also seem hooked on the slightly offensive notion that listening to Radio 4 cuts you off from reality rather than engaging you with it. If many of the people who object to the frequency changes also object to the idea of a rolling news service (not everybody does, actually) it is because they know they did not ask for a rolling news service (stand up anyone who did), and because they understand the reality of listening to the wireless. A radio service that brings you instant news might be worth striving for, in theory. But imagine you are sitting at home when the big unexpected news story breaks — a bomb explodes, a minister resigns. How do you know to turn the radio on? You could sit there for hours none the wiser.

I have let down some of the balloons. What a crying shame. A march would have made us feel so much better. One thing that is certainly true of radio listeners is that while we may occasionally try to engage the BBC in a two-way conversation ("Show me this so-called listener research, then, Mr So-called Tony So-called Hall") we yell, with finely judged sarcasm, during evasive interviews on the *Today* programme, we are doomed to fail, of course, because of the inexorable one-way nature of the medium. But the idea that other listeners, in other kitchens, in other baths, in other traffic jams, are yelling the same thing is a comforting notion, and the march would have made this sense of community real. In fact, the only thing I didn't fancy about the proposed march was that it was to proceed in dignified silence. Oh, come on. I wanted to hold hands and be joined in vocal union with all my unknown friends. "What do we want?" Mr Mackinnon could have shouted from the front. "Radio 4 to remain on long wave!" we would holler back, with no particular ear for rhythm. "When do we want it?" "In the future, obviously!"

I have a feeling that a few people might still turn up on Saturday. After all, the message over the weekend was scarcely clear. "We are still going to march on Broadcasting House," was in the papers on Saturday, yet on Sunday most of the papers reported that it was off. I wondered whether a rolling news service would be as confusing as this. How hard it is to revoke things. Once people have been set in motion they are like cruise missiles, or high-handed BBC decision makers, programmed to take no notice of subsequent instructions. Meanwhile, think of those listeners in Wales who will end up with only Radio Cymru (in Welsh) on FM. They may be half-way to London by now, marching in dignified silence, with no turning back. And when they finally reach Marble Arch on Saturday they will have only their balloons for company.

### Left-wing conspiracy theorists are shocked by ferocious press attacks on the government, writes Janet Daley

Has the lapdog turned rabid? There is much sniggering on the left about the Tory press being forced to eat its words over John Major and his hapless government. The newspapers which put him into office with what Labour politicians saw as a concerted propaganda programme engineered by Smith Square, are now engaged in the most comprehensive vilification of a sitting government in living memory. Inevitably in such a media-conscious society, almost as much analysis will be devoted to this change of mood as to the events themselves.

Indeed, the world seems to have been turned on its head since the election. Press poodles have, in the metaphor of the pundits, turned into Rottweilers. Arthur Scargill has been rehabilitated. "Honest John" Major who was to bring back pragmatic, non-ideological, and above all, listening government, now appears both inept and obstinately wrong-headed. Ironic follows irony. How is it that the image of the coal miners and their leader could have so

metamorphosed over the past decade? They have gone from being Marxist wreckers fighting for political supremacy over a democratically-elected government, to being heroic victims. Many people who regarded Mr Scargill and his flying pickets as public enemies, during the Eighties, turned their lights out for two minutes in support for them on Sunday night with the blessing of some of the most right-wing leader writers in the business.

Mr Major himself has a new incarnation: not so much the nice guy who eschews blind dogma as the vacillating coward who is out of his depth. Why, ask the media watchers, has this new world view supplanted the old with such startling universality? To devoted conspiracy theorists on the left, there can be only one answer or, at least, only one kind of answer (the details may vary). The omnipotent

## Poodles that finally bit

Tory establishment have decided that the choice of Mr Major as leader was a Big Mistake. In the long-term interests of the party, and the short-term interests of the party's friends in the City, he must be replaced before the next election. Having got the party safely into office for four years, the Tory press may now criticise those character traits which it would not have dreamt of calling into question while there was a real danger of putting Labour into power.

This is a useful account for those who believe that the British press is unfailingly in the pocket of the Tories, because it avoids the difficulty presented by the phenomenon of a Conservative government being attacked by supposedly favouring newspapers. It serves to confirm the metaphysical belief in the absolute power and perfect coordination of the Conservative establishment which is a feature

of left paranoia. But instead of bending reality to suit their defeatist assumptions about collusion between the newspapers and the Tories, or sniggering over what they imagine to be the mortification of editors who are now having to rue their earlier judgments, Labour apologists ought rightly to worry about the invisibility of the left in all of the current coverage. Even Mr Scargill has become astutely apologetic in his tone: no talk now of bringing down governments but only of the economic wisdom of coal policy.

What is significant about the acrimonious relations between press and government is not that newspapers which once supported the Conservatives are now attacking them — that should come as a surprise only to people who believe the absurd picture which the left has been peddling for years of Fleet Street as a kind of capitalist Pravda —

but that the entire argument about the economic and political future is being conducted within Conservative circles.

And this is not, because the wicked Tory press is ignoring the persuasive solutions being offered by Labour, but because Labour has had nothing to say. Far too much attention is being paid to the newspapers' change of tack because the idea of press manipulation has become a shibboleth of leftist conventional wisdom. Children are now taught in school media studies how to analyse the bias and subtly-coded influence of news coverage.

That the official opposition has become marginalised is one of the most serious long-term dangers to our democratic institutions. That we may face a future akin to that of Ulster with its permanent Unionist rule should be one of the most urgent subjects of debate. The

failure to address it is not being orchestrated by a cabal of Tory press and politicians. It is a result of Labour's own obsession with image and press conspiracy, which has replaced political content in its arguments. And this fixation came not only from the spin doctors and 'hype-men' but from the wider intellectual fashion for analysing all media communications as coded texts with their own hidden premises.

Yes no one should be startled when a free — which is to say, a commercial — press turns on any government. So long as papers have readers who are free to buy or not to buy, they will never be able to say that black is white. Those who believe that the media can invest some skewed reality with which they can delude whole swathes of the population are naive in a way that only the cynical can be. What the last week proves is not that editors who prefer to grovel must sometimes repent, but that, strangely enough, Britain does have a more or less independent press after all.

## The U-turn that spells disaster

Few leaders could survive yesterday's upheaval, says Peter Riddell

The political secretary to the prime minister was gloomy. He wrote in his diary: "The government is now wandering vainly all over the battlefield looking for someone to surrender to — and being massacred all the time." The author was Douglas Hurd, then working for Edward Heath, writing in February 1972 about what he called the "disastrous" end to the miners' strike which pushed up wage claims and led to the U-turn of a statutory incomes policy nine months later. The Major government yesterday suffered a comparable setback. Like the Heath administration more than 20 years ago, the miners have weakened a Tory government's authority and exposed huge holes in its economic and industrial strategy.

The partial moratorium on pit closures may merely defer the threatened redundancies, rather than cancel them, so leaving many MPs dissatisfied last night. But, after the shambles of the past week, the concession nonetheless represents a substantial climbdown, as Michael Heseltine's unusually faltering performance in the Commons showed. The announcement is so damaging politically not just because it leaves energy policy in disarray but because it follows an earlier U-turn a month ago when sterling was forced out of the exchange-rate mechanism.

Previous governments have, of course, made U-turns on policy. Even the Thatcher government did so from time to time: on student grants, cold weather payments, top people's pay, grants to local authorities, and the nuclear industry and electricity privatisation. But embarrassing though these shifts were for a few days or weeks, none was central to the government's strategy.

In the past, governments have suffered serious and, at times, irreparable setbacks when they have reversed core policies. These changes have had a triple effect of shaking a cabinet's own self-confidence and cohesion, of demoralising its supporters and of undermining public confidence in the government. The Attlee government was knocked off balance twice: by the fuel and convertibility crises of 1947, and by the devaluation of 1949. The government recovered from the first when Stafford Cripps became Chancellor, but even though it narrowly won the February 1950 election, the government



The power of the pits: Edward Heath's government never recovered from the bruising end to the 1972 miners' strike

never recovered its stride after the devaluation and the resulting tensions contributed to the election defeat in 1951.

Governments have survived such U-turns only when there has been a change of personnel at the top and when there has been plenty of time before the following general election. Hence, Anthony Eden was de-

stroyed by the Suez fiasco in 1956 and the Tories recovered only when Harold Macmillan took over. He had nearly three years to rebuild confidence before the 1959 election. He, in turn, never regained his previous dominance after the rejection of Britain's application to join the European Community in 1963. Similarly, the Wilson

government was hobbled by the sterling devaluation of 1967 and, despite a partial recovery under the chancellorship of Roy Jenkins, the abandonment of the *In Place of Strife* White Paper on trade union reform in 1969 helped doom it. The Heath government demoralised its own supporters by its U-turn on industrial and

economic policy in 1972 and it never fully regained the political initiative. This lack of coherence and appearing to jump from one expedient to another were partly responsible for the defeat in February 1974.

Ministers would like yesterday's announcement to be comparable to the Thatcher government's backdown over

subsidies to the coal industry in the spring of 1981. This turned out to be a tactical retreat rather than a strategic withdrawal, and gave the government time to prepare for the expected confrontation with the miners.

However, the concessions by the Major government are more like the difficulties faced by the Wilson regime in the late 1960s and by the Heath government in 1972. They are important not just in themselves but because they symbolise wider frustrations about the recession, continuing waves of redundancies and deferred hopes of recovery.

The government does not yet have an answer to these worries. The withdrawal from the ERM has destroyed the strategy which Mr Major had, while undermining his authority and that of Norman Lamont, the Chancellor. Now Mr Heseltine has been severely shaken, leaving the top of the cabinet looking much weakened.

On economic policy the vacuum has not yet been filled. Last Friday's one-point cut in interest rates, while widely urged by MPs and by industry, added to the confusion. It was not clear whether the government was sticking to a tough anti-inflation approach or shifting towards a significant relaxation. The climbdown on the timing of pit closures raises further doubts about the government's firmness over public spending and in face of threatened strikes.

Despite recent rumours of wobbling, Mr Major himself remains in a determined, even defiant mood. For instance, he had robust exchanges yesterday with some of his backbench critics when he lunched with members of the executive of the 1922 committee. While shaken by the events of the past month, he believes there is no alternative to a tight fiscal policy and trying to hold down inflation. He wants Britain to return to the ERM in time but cannot be so explicit in public because of its unpopularity in the party.

Although there is criticism of his recent leadership, there is no immediate threat to his position. Of possible successors, Mr Heseltine has just suffered a serious reverse and Kenneth Clarke is suspected by the Eurosceptics. So, in the barbed (and misquoted) remark by R.A. Butler about Anthony Eden, Mr Major is "the best prime minister we've got".

### Bring back the board

OPPOSITION to Michael Heseltine's stance over pit closures was mounting yesterday even in his own backyard. Members of the Board of Trade, that mysterious body of which Heseltine is president, are calling for the board to be convened for the first time in more than six years to discuss the crisis in the coal industry which led to yesterday's humili-



Bring back the board. The formal composition of the Board of Trade has remained virtually unaltered since it was established in 1786. It last met for a bi-

centenary celebration in 1986. Members include senior clergy such as the Archbishop of Canterbury and most of the cabinet, including the foreign secretary, who admitted last week on BBC radio that he did not know about the announcement. The Speaker of the Commons, the Master of the Royal Mint and the Master of the Rolls are all members — although due to the infrequency of meetings some are probably still unaware of the honour.

Yesterday another member, Dr David Hope, the Bishop of London, demanded that president Heseltine convene a meeting to consult his board. When he was Bishop of Wakefield, Hope made regular pit visits and when he left the mining community a year ago, he was presented with a miners' helmet and lamp. When the miners lobby parliament tomorrow, the bishop will entertain a group of Yorkshire pitmen for tea at his palace.

"It is all a question of accountability," said the bishop's man yesterday. "The bishop believes that any way in which the democratic right can be extended, such as holding a meeting of the Board of Trade, should be welcomed."

Heseltine is the first in many years to revive the title of



## DIARY

President of the Board, for which he has been accused of harbouring delusions of grandeur. Perhaps he knew what he was doing. The prime minister, in whose hands Heseltine's future now lies, is another junior member — sitting at his president's feet.

### Peace-mongers

BY THE time the Queen arrived in Germany yesterday a team of special advisers from the treasury, foreign office and ministry of defence were already being winced and dined by leading Christian Democrats. The advance party were given a high-level briefing at the Foreign Office on Friday, when Douglas Hurd issued firm orders to use every opportunity to try to undo the political damage done by Britain's withdrawal from the ERM. They flew out on Sunday as guests of the

Konrad Adenauer Institute, which was appalled by the breakdown in communications between London and Bonn.

The diplomatic offensive will not be without its problems. While Hurd can rely on Edward Bickham, his special adviser, to promote better Anglo-German relations, what of his colleagues? David Cameron, special adviser to Norman Lamont, is still smarting over the Bundesbank's ill-timed interventions. Perry Miller, special adviser to Malcolm Rifkind, is not much keener on the Germans. His boss has fallen out with Bonn over German withdrawal from the European Fighter Aircraft project, which is said to have jeopardised even more British jobs than the planned pit closures.

With Michael Howard unavoidably detained at yesterday's emergency cabinet

meeting, his deputy, David Maclean, stepped into the breach to open a new sewage works in Huntingdon — John Major's constituency, no less. Asked if there was any member of the cabinet he would like to throw into the swirling sewage, the junior minister replied: "Actually I don't need to. They have already done that themselves."

### Master race

BALLIOL, the Oxford college whose alumni include Asquith, Tawney and Macmillan, has started the arduous search for a new master to replace Professor Baruch Blumberg, the scientist and Nobel laureate, who is due to stand down in October 1994.

Blumberg, an American, became the first scientist to be elected to the prestigious post in more than 700 years and, according to the former prime minister, Sir Edward Heath, who is president of the Balliol Society, finding a successor will not be simple. "It is always discussed by the dons in the senior common room and they tend to take some time about it. We had a dinner only a fortnight ago and there was no mention of the election." Despite that, applications were invited yesterday in an advertisement in *The Times*. Were the college to opt for one

of its graduates the most obvious candidate, would be the Labour politician Bryan Gould, who is in need of a job after resigning from the shadow cabinet over Europe. "Bryan Gould would be a good choice," one Oxford fellow says. "The college certainly needs someone who is a reformer. There is much too much complacency at Balliol."

The favoured internal candidate, however, is Colin Lucas, the historian of the French revolution, currently at Chicago University.

As the Blues and Royals and the Life Guards were finally joined together at Windsor yesterday under their new title of the Household Cavalry Regiment, soldiers from both regiments were not about to give up their separate identities easily. The regimental silver was unpacked for the mess and the two separate flags were raised in honour of their new union. "It will be a very unusual situation for the British army," Colonel Jonathan Telwally explained. "Officers and soldiers will fight as a single unit but will continue to be recruited as before into either the Life Guards or the Blues and Royals." Fighting together is one thing. Eating with the same siver is clearly quite another.





## A NECESSARY RETREAT

■ The prime minister must now prepare for new pitfalls ahead

The Government did itself a little good yesterday. It avoided a rebuff from the courts for its over-hasty closure of coalmines. It bought time for the power generating companies to explain why they reject the coal that those mines produce. It gave a chance for miners who want redundancy to take their money and leave the political stage. The Conservatives are more likely now to win the House of Commons vote tomorrow than they would otherwise have lost. All in all, by the dismal standards of recent weeks, it added up to a decent day's work.

The retreat had to happen. Even during Mr Heseltine's bravura performance on Sunday lunchtime television, it was becoming clear that a devastating blow was about to land around his head. An extraordinary amount of political miscalculation, quite uncharacteristic of the president of the board of trade, had led to this impasse. There is only one way out of an impasse, and that is backwards.

For the threatened coalminers who want to remain down the pits the news was mixed. Mr Heseltine gave no indication that he has changed his mind about the essential economic argument. The moratorium, he intends, will be no more than a stay of execution. The case will, however, now have to be put properly to Parliament. It is up to all those who want to save coalminers to ensure that the complex economic arguments are fully thought and fought through.

It is clear that Mr Heseltine would rather "consult" (in the best bureaucratic sense of being the brick wall against which others break their heads) than undertake a review of Britain's long term needs for energy. He must be persuaded to change his mind.

British Coal is currently unable to sell all the coal it produces. That is not, however, simply an economic fact of life, thrown up by a free and competitive market. British Coal's inability to sell is a direct consequence of the way the electricity industry was privatised. If the most efficient producer of coal in

Western Europe cannot pay its way, there must be a case for questioning whether the market in which it functions is responding to the right economic signals.

Mr Heseltine should announce at the beginning of tomorrow's debate that he will use the moratorium to consider all new ideas put cogently to him. The regulatory authorities must be pushed quickly into action. There needs to be public examination of distortions in the domestic energy market, an exercise that includes a dispassionate view of Britain's energy needs, the possible future price changes in gas and imported coal and every other factor that might change the economic equation for domestic coal.

For both sides in this confrontation the overall auguries are poor. For the miners the results may still not be favourable. For the government, the problem is still one of bad planning bedevilled by weak leadership. Ever since Black Wednesday, the lack of a credible policy to pull the British economy out of recession has overshadowed all the government has done and not done. John Major still, we sense, wants to return to the exchange-rate mechanism as soon as is possible. But he cannot say so. While there is such a hole at the heart of the government's policy presentation, smaller decisions are likely to go wrong.

The financial markets detect the whiff of desperation. The pound fell yesterday to 79.5 on its trade-weighted exchange rate, 5 per cent below its previous low. Investors are less worried about inflation than about the weakness of government and the weakness of the real economy. Until Mr Major addresses both problems, preferably at once, sterling will have nowhere to go but down.

Backbenchers will remain dangerously restive. There are risky announcements ahead on public spending cuts, cuts in welfare benefits and pay. The government's enemies have their tails in the air. The government's head is still barely visible.

## FORBIDDING CITY

■ Heads Patten wins, tails China loses

Chris Patten arrives in Peking tonight for his first official visit, prepared to put China's commitment to "one country, two systems" to the test. A fortnight ago he broke new ground in Hong Kong, not only by setting out a strategy of democratic reforms, open government and concern for social welfare, but by insisting on the right of Hong Kong's people to have a say in their future and meeting them to discuss his proposals.

The contrast with the regimented proceedings of China's 14th Party Congress, just ended, could not be more obvious; or more embarrassing to a Chinese leadership totally unprepared to deal with a colonial governor backed by broad popular support. Peking is furious at being so skilfully outflanked, and will exact a price for Mr Patten's temerity in failing to ask China's blessing before making his plans public. He must expect a bumpy ride in from the airport.

Mr Patten has begun well, refusing to be rattled by China's bullying over Hong Kong's new airport and asserting both his willingness to discuss his constitutional plans and a readiness, in the last resort, "to agree to differ". He was also wise to resist advice to go to Peking before it was clear with whom he had to deal, and whether Deng Xiaoping's latest bid to step up economic reforms would succeed. No decisions could be expected until then.

Mr Patten is inevitably under some pressure to show "results" from this first trip. But he should not expect miracles, even now. The party congress has resolved less than would appear from the mandatory show of enthusiastic support for Mr Deng's "magic weapon", a programme for capitalist reforms within a communist straitjacket. For a start, the blueprint is far from coherent. Mr Deng's economic reforms call for decentral-

isation and further reductions in state control of the economy. People are urged to "take decisions" and "dare to experiment". Yet they must not "question, weaken or negate the ruling role of the party".

Stability is the watchword, precisely because this mixture is inherently unstable. Mr Deng's gamble is that the pursuit of wealth will keep people quiet. But millions will be thrown out of work if China overhauls the loss-making state industries, the workers' "iron rice bowl". The leadership's nervousness is indicated by the prominence of the People's Liberation Army in the new party line-up. Reforming technocrats such as Zhu Rongji have been prominently promoted, but they could be sacrificed at the first sign of unrest.

"Foreign mud" was China's description of the opium that flooded in from Hong Kong a century ago. To old men set against political reform, Mr Patten's plans for Hong Kong will be even less congenial. His top leaders may refuse Mr Patten an audience. So be it. By setting out his own roundabout route to democracy, Mr Patten has a lever to persuade Peking to change its Basic Law for Hong Kong and allow more direct elections. The Chinese claim that his reforms are inconsistent with the 1984 Sino-British Declaration on Hong Kong; he should invite them to prove it, and to come up with better ideas. As for the airport, he could well hint that Hong Kong is well able to build most of the airport with its own money, leaving Peking to pay for finishing the job after 1997.

Mr Patten wants, he says, to convince China that politics in a free society is no threat. That is a tall order. But the onus is on Peking to better his offer to Hong Kong. On this trip, he can afford to listen.

## DIPLOMATIC HOT DOGS

■ Let our British huskies die at home in the Antarctic

Vast events can grow from little pretexts. Wars have been started over such trivialities as the alleged loss of Captain Jenkins's ear or the guardianship of a chapel in Jerusalem. International treaties can fail because of such banalities as the exchange rate, or the support price for oil-seed rape. But until now history has recorded no instance of a treaty collapsing over a pack of ageing dogs.

The international protocol to preserve Antarctica, signed by 39 nations in Madrid last year, is threatened by Britain's refusal to pull out its two teams of huskies, for whom the frozen wastes are the great white kennels in the south. Most of the treaty is concerned with a ban on mining, and the control of marine pollution and other wastes. But a section is intended to preserve the flora and fauna of the continent. Huskies when let loose go for a tramp on the eternal snows. The baby seals and penguins do not like it.

Australia and Argentina, the two other countries with husky teams, have agreed to remove their dogs by 1994. Britain refuses, on the grounds that Antarctica has been the home for four generations of huskies since 1945, and that they should be allowed to stay there until they die out from old age. According to canine actuarial advice, this should be by 1998 at the latest. Australia's environment minister has taken the opportunity for a spot of Pommy husky

bashing to say that the continued presence of the dogs endangers the whole protocol.

There is a tradition of England protecting its humblest subjects against injustice. Palmerston, in the Don Pacifico debate of 1850, cited the Roman, in days of old, able to free himself from indignity by saying *Civis Romanus sum*. This is an even humbler case of *Canis Romanus sum*.

Huskies are neither Roman, nor British — nor even Antarctic. They come originally from the frozen north, and the Arctic and the Antarctic are poles apart. Their name is a corrupted contraction of Eskimo, which is the Algonquian for "eater of raw meat", and has become a politically incorrect description for humans. Their name is factually incorrect for huskies, which live mainly on fish. Anyone who travels in a sleigh drawn by huskies rides in a foul fishy miasma.

Antarctica is a white hell-hole. Captain Scott wrote: "Great God! This is an awful place." Whenever Admiral Byrd was asked what men missed most on Antarctic expeditions, he would reply with the single word, "temptation". The British huskies are not doing much damage there, and apparently are a homey comfort to the humans. Their peaceful retirement in their familiar home is an odd occasion for a diplomatic demarche. But it is a typically English one.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

### Concern at dangers of limiting social security budget

From the Director of the Child Poverty Action Group

Sir, We welcome your leader of October 15 ("Sense and social security"), in particular your opposition to cuts in means-tested benefits. Any move in this direction would contradict the Conservative manifesto commitment that "we will continue to care for those in need and work to establish a society that is generous, as well as prosperous".

However, some of your comments about possible reforms must be challenged. Integration of means-tested benefits and income tax is not necessarily a panacea for the take-up problem, and would involve either huge administrative burdens for employers, or clumsy administration via tax offices which would be unable to cope with the fluctuating circumstances of those on low incomes.

Family credit is already paid to the mother in low-income working families with children; this does not mean that one of the main advantages of child benefit disappears, since unfair sharing of income within the family is unfortunately not confined to the poor.

Over the last decade there has already been a massive increase in the numbers dependent on means-tested benefits, in part because of demographic and labour-market changes, but also as a result of deliberate government policy. Before the government goes even further down that road, it should pause to consider the wider functions of social security — beyond the mere relief of poverty, to the prevention of poverty and the transfer of resources to those periods (old age, early parenthood) of particular financial pressure.

It should also ponder carefully how far Peter Lilley's own aims for the social security system, including improving incentives and simplifying benefits, can be met within a system which by its means-tested nature places severe limits on rewarding

individual initiative and reducing complexity.

If there is concern about wasteful use of resources, there are far better places to start than so-called "universal" benefits — including the alternative welfare state of tax reliefs and expenditures, which the government, to its credit, has already begun to erode.

Yours sincerely,  
FRAN BENNETT,  
Director, Child Poverty Action Group,  
4th Floor, 1-5 Bashi Street, EC1,  
October 15.

From Mrs Hermione Parker

Sir, It is reported that the Treasury is urging cuts in planned expenditure on social security benefits as a way of reducing next year's public sector borrowing requirement. For example, unemployment benefit may be restricted to six instead of 12 months, and some benefits may be uprated by less than the rate of inflation.

There is also a fear that in next year's Budget the Chancellor may freeze the personal income tax allowances, as Sir Geoffrey Howe did in 1981 — which would aggravate recession by reducing personal spending and increasing the earnings levels at which it is financially worthwhile for unemployed people to return to work.

Fortunately there is an alternative, if only the Treasury will allow it to uprate all social security benefits and income tax allowances in line with prices (at least), and to pay for the increases by suspending or reducing the present many tax reliefs for saving. This would discourage saving but maintain (or boost) spending.

Next year the Department of Social Security's 2 per cent incentives for people to opt out of the state earnings-related pension scheme (Serps) into personal pensions will cost almost £3,000 million in terms of revenue foregone — compared with an estimated £2,300 million to uprate all

benefits in line with inflation. Additionally, the cost to the Inland Revenue of income tax reliefs for occupational and personal pensions is likely to exceed £1,000 million — compared with about £1,100 million to uprate the personal income tax allowances in line with inflation.

In recession, those who can afford to save need no inducements. By contrast, the old, the sick, the unemployed, the lower-paid and most families with children need every penny they can get. It is time the Treasury accepted that, in terms of the borrowing requirement, tax expenditures and cash expenditures are like two sides of a single coin. The aim during recession should be to concentrate on those which boost demand, not those which encourage saving.

Yours faithfully,  
HERMIONE PARKER,  
Needlefield, Pirbright,  
Woking, Surrey,  
October 15.

From the Chief Executive of Arthritis Care

Sir, Can it really be true that the minister in charge of social security had nothing more to tell the Conservative conference than his plans to catch more scroungers (report, October 8)?

Next year the social service authorities take over responsibility for community care — an enormous change which will affect the lives of everyone in this country. There is much concern about these changes, the resources which will be devoted to them, and the long-term results.

Those of us who are intimately concerned with these developments had hoped for reassurance from Mr Lilley at the conference on some of these issues.

Yours faithfully,  
R. GUTCH,  
Chief Executive, Arthritis Care,  
18 Stephenson Way, NW1.

### Identity cards and need for privacy

From Mr Malcolm Harrison

Sir, The former deputy director of Population Censuses and Surveys misses the point when calling for even a "halfway house" to the introduction of ID cards (letter, October 14). Most bureaucrats would like nothing better than to have the entire population filed, tabulated and cross-referenced. It is an administrative convenience, providing for total control.

The population at large would prefer to deny them this, being perfectly capable of determining what state agencies need to know and producing information and documentation should it be required. For the rest of the time we prefer to remain unfilled, free from intrusion and the potential for abuse implicit in bureaucratic order.

It is a matter of feelings and of subsidiarity taken to the logical level, the private individual. It is a lesson that should be learnt from the Maastricht debate.

Yours faithfully,  
MALCOLM HARRISON,  
228-230 Fulham Road, SW10,  
October 14.

From Mr Ron Footner

Sir, Most of us already have a personal identity number (PIN). It is called the national insurance (NI) number and it is assigned to everyone when they reach the age of 16. All that has to be done is to extend that number for use as a PIN and assign it from the date of birth.

Yours sincerely,  
R. FOOTNER,  
24 Bowford Avenue,  
Bexleyheath, Kent,  
October 14.

From Colonel Geoffrey M. L. Claridge

Sir, My wife received this morning her replacement orange parking badge issued for the disabled. The new version is topped by the holder's name in large letters. The accompanying instruction leaflet insists that the badge is displayed in the vehicle so that the holder's name is legible from outside the vehicle.

In normal circumstances the ownership of a car is confidential information and is protected by police and the DVLA from casual enquiry. From now on this protection, no longer applies to our more vulnerable citizens who have to display their name to all and sundry.

Yours faithfully,  
GEOFFREY M. L. CLARIDGE,  
Dormans Court, Dormans Park,  
East Grinstead, West Sussex,  
October 14.

### Alive and well

From Mr Patrick Clancy

Sir, I have just received from the pensions administrator of my former company a "certificate of existence" for completion, confirming that I am alive, still resident at my home address — and therefore, by implication, "pension-worthy".

The certificate should be signed by a "minister of religion, justice of the peace, magistrate, banker, postmaster, doctor or solicitor". The implication is that only these are sufficiently reliable to confirm my continuing existence. I am sure that the postmaster — actually a postmistress — of our village sub-post office will be suitably flattered.

So in this case, and doubtless in others, members of Parliament, university professors, directors of public companies and senior civil servants — to name but a few — do not qualify. Is it not time that this Victorian attitude was replaced by a more appropriate modern qualification of reliability?

Yours faithfully,  
PATRICK CLANCY,  
The Old Barn, Bradleys Yard,  
Plumtree, Nottinghamshire,  
October 13.

### Bird count

From Mr B. H. Parker

Sir, So the European Commission criticises Britain for failing to protect wild birds (report, October 12).

This summer, encouraged by a statement in a Greek guide-book that Crete is a "birdwatcher's paradise", I took my binoculars on a visit there. During two weeks of travelling round the island I saw a total of two buzzards, 11 sparrows, one brown bird of indeterminate species and a distant white one, probably seagull.

On return to England I exceeded this bird count, in both number and species, in less than a minute.

Yours sincerely,  
BRIAN PARKER,  
Rook House, Victoria Road,  
Dartmouth, Devon,  
October 14.

### Dressing down

From Dr Joan Schwitzer

Sir, If your photographs (October 10) show the "best" of British fashion design (bare midriff and bra under a flimsy jacket, shirt with unclipped legs) what is the worst?

Yours truly,  
JOAN SCHWITZER,  
33 Shepherds Hill, Highgate, NG.

### Care of children

From Ms Susan Hay

Sir, Gillian Pugh and others (letter, October 14) explained why the Children Act must be given time to work. May I draw attention to a draft Department of Health circular which will effectively dismantle the principle of minimum acceptable standards of childcare for babies and children provided in the Act.

The circular asks local authorities to give priority to the "expansion of services and invites them to interpret the Children Act in a 'flexible' way. Detailed guidance accompanying the circular withdraws any guarantee to parents that the carers of their children will be suitably qualified, that they will be there in sufficient numbers and that they do not have a history of child-related offences.

It thus ignores well-documented research which clearly proves that

above all else, it is the quality, quantity and continuity of the staff/child interaction which matters most to both child and parent.

The market will not buy sub-standard services, neither will employers support a service which risks onerous liabilities. Instead, working parents will stop work, or be forced back into hazardous and non-professional arrangements.

This proposal is not a consumer-protection measure. Neither will it do anything for the supply of childcare services.

Yours sincerely,  
SUSAN HAY (Chairman),  
Childcare Association, 1 Floral Place,  
Northampton Grove, Islington, N1.

From Mrs Doreen Goodman

Sir, Gillian Pugh and others rejoice that the Children Act which was implemented just a year ago "was particularly detailed and helpful on

the day-care of young children".

However, no account is taken of the age at which a child goes into day-care, the number of hours it is deprived of parental care and how many hired carers take charge in the course of any one day. Children's needs have not changed because society has changed.

In denying the child's right to a mother as prime carer we are departing from nature to what has been called "the industrialisation of the family", ignoring the UN Declaration of the Rights of the Child that "a child of tender years shall not, save in exceptional circumstances, be separated from his mother". Day-care for young children should be the last resort, not the norm, if we want mental health for the next generation.

Yours sincerely,  
DOREEN GOODMAN,  
12 Whittingham Road,  
Mapperley, Nottingham.

### Women priests

From Baroness Platt of Whittle, FEag

Sir, Edward Norman ("The unraveling of church and state", October 17) says that those dissatisfied with the leadership of the Church of England "should turn... to doing something about the recruitment of better priests in the first place".

Whilst not personally dissatisfied with present Church leadership I do believe in recruiting the highest quality of talents God created into the priesthood. Why do we continue denying the female half of those talents?

Yours faithfully,  
PLATT OF WHITTLE,  
House of Lords,  
October 17.

### Sexual harassment

From Dr D. A. Livesey

Sir, Dr Andy Martin, in casting doubt on his need for Dr Carrie Herbert's sexual harassment workshops in Cambridge ("Dons, not saints", October 14), overlooks some important facts. Cambridge University has a policy on racial and sexual harassment which recognises that here, as elsewhere, harassment may happen, and that if it does it should be dealt with effectively and appropriately.

It is therefore at the request of the university that Dr Herbert is running her workshops; they are not primarily designed to raise awareness of harassment, although this is one important element, but to train advisers dealing with victims of harassment.

Harassment is not a trendy issue but a very real problem faced by some individuals, not just in universities but in every context. The university would be failing in its duty to its students and its staff if it neglected to recognise this fact.

Yours faithfully,  
DAVID LIVESSEY,  
University of Cambridge,  
General Board Office,  
The Old Schools,  
Cambridge CB2 1TT,  
October 16.

Business letters, page 25

Letters should carry a daytime telephone number. They may be faxed to 071-782 5046.

### Student unions

From Mr C. Pickering

Sir, Mr Paul Hewitt (letter, October 13) fails to point out that student unions, funded by public money and with a captive membership, engage in a whole range of political activity, wholly irrelevant to the majority of students.

"Target 70", a campaign run by the National Union of Students during the election, was described by its general secretary as "a campaign to bring students to Labour". Not surprisingly Mr Hewitt, as chairman of the Labour party student wing, does not wish to see this flagrant abuse of public money checked.

Conservative students have always campaigned to free the student, well aware that the services presently run by the union would have to be removed from the union's competence and placed in the hands of professionals employed by the institution. The union would then run like any other society on campus, having to attract members because it provides an attractive product.

If the unions are as popular as Lorna Fitzsimons (letter, October 13) and Paul Hewitt suggest, students would be attracted to join in their tens of thousands. Furthermore the government could no longer claim that

### Electoral law

From Mr Barrie Lane

Sir, Might I, as an electoral officer for the past ten years, suggest that the Earl of Stockton's accolade (letter, October 6) to party political agents as the guardians of electoral law was badly misplaced. That honour must fall to the unsung heroes of local government, the electoral registration officer and his staff, who guide, cajole and, dare I say, correct party agents as well as supporting the whole of the election process for untold hours.

There is indeed a disturbing fall-off in persons — not just the young — placing their names on the voting register. But to lay the onus of rectifying this situation on party agents will inevitably result in a claim that the register is biased.

Yours faithfully,  
B. M. LANE,  
80 Park Avenue,  
Bush Hill Park,  
Enfield, Middlesex.

### Writing for money

From Ms Nicola Thorne

Sir, Bernard Levin ("Fool's gold in those garrets", October 12) says "there are only a handful of serious writers in this country who make a serious living by their pens". The rest have, or should have, other occupations.

I would guess that many professional novelists, of whom I am one, earn their living by plying their craft for profit. Our livelihoods, however, are now threatened by the tendency of some publishers to pay vast sums of money to so-called "celebrities" who have hitherto never written a word of fiction in their lives.

Is this fair? It would not be tolerated by the acting profession. Perhaps it is time we had an Equity card for novelists.

Yours faithfully,  
NICOLA THORNE,  
Woodpecker Cottage, The Row,  
Sturminster Newton, Dorset,  
October 12.







OBITUARIES

PROFESSOR ALAN WOODRUFF

Professor Alan Woodruff, CMG, OBE, who died of a heart attack in Khartoum on October 12 aged 76, was Wellcome professor of clinical tropical medicine at the London School of Hygiene and Tropical Medicine from 1952 to 1981 and, since 1981, had been professor of medicine at the University of Juba, Sudan. He was born on June 27, 1916.

Alan Woodruff was one of the foremost authorities on tropical medicine of his time, and his reputation spread world-wide. His advice on combating tropical diseases was sought as far afield as Burma and China, in addition to Africa, where at the time of his death he was taking his student classes in Khartoum, Juba itself having been put out of bounds by the civil strife raging in the country. He was also an authority in this country on the increase in the importation of such diseases into Britain through the growth in air travel. Indeed, physicians from abroad often found that they could better study diseases endemic to their own countries at the London school.

But he is perhaps best remembered in Britain for the robust warnings he gave about the danger, particularly to children, of disease transmitted through dog faeces excreted in public parks. The case of *toxocara*, a worm transmitted through dog faeces, and the cause of eye lesions and blindness in human beings, became something of a cause célèbre in the 1970s, and Woodruff's contention that dogs ought, as a consequence of the danger to children, to be banned from public parks (or at least that a higher licence fee should be introduced to finance the provision of dog wardens) drew a certain amount of backlash in a nation which seems peculiarly to resent any aspersion cast on the behaviour of 'man's best



friend' and any limits imposed on canine liberty, for whatever reason. In a *Times* article of 1978, for example, one columnist thundered that criticism of doggy behaviour on the grounds of its possible danger to children stemmed "...I suspect, from people who simply dislike dogs. It is in a poor spirit. Dogs are an unending source of comfort and

companionhip in thousands of homes". Such myopic sentimentality did not, however, make much headway to the rational mind against the rectitude and precision of Woodruff's scientific analysis. Alan Waller Woodruff was born in Sunderland. He studied medicine, graduating MB, BS with honours in 1939 at Durham University with

which he maintained close contact, being president of the Durham University Society from 1963 until 1973. Following house appointments at the Royal Victoria Hospital, Newcastle upon Tyne, he served in the Royal Air Force Volunteer Reserve from 1940 until 1946, reaching the rank of squadron leader.

He graduated MD in 1941 and, sitting the examination at Pune, became MRCP (Lond) in 1944. He returned to the Royal Victoria Hospital as medical registrar until 1948. He had taken the DTM&H at the London School of Hygiene and Tropical Medicine in 1946 and became senior lecturer in clinical tropical medicine at the school and first assistant at the Hospital for Tropical Diseases in 1948.

In 1952 he became Wellcome professor of clinical tropical medicine at the school until his retirement in 1971. During this period he held visiting professorships at several universities in Egypt, Iraq, Uganda, Sudan and Libya. He was honorary secretary (1957-71), then president of the Royal Society of Tropical Medicine and Hygiene (1973-5), and president of the Medical Society of London (1975-6). He was chairman, or a member, of a number of important committees: Haemoglobin Variants (Medical Research Council), Traveller's Diarrhoea (MRC), Expert Committee on Onchocerciasis (World Health Organisation), Resistance of Malarial Parasites to Chemotherapy (WHO) and the Codex Revision Committee of the Pharmaceutical Society.

He received the Katherine Bishop Harman prize of the British Medical Association in 1951, the Cullen prize of the Royal College of Physicians in Edinburgh in 1982, and the gold medal of the University of Pernambuco, Brazil, in 1980. He was appointed CMG in 1978 and OBE in 1989.

Woodruff had a long-standing interest in Burma and its health problems, and was well known for the large strong Burma cigars he provided on social occasions; he was elected to the council of the British Burma Society in 1967 and became its chairman in 1970. He edited several major textbooks of tropical medicine and many articles in medical journals. His main research interests were in anaemia, malaria and other parasitic diseases, and spruce, in addition to his abiding interest and strong views on the prevention of infections with *tamoxifen*.

After retirement from the London School of Hygiene and Tropical Medicine he became professor of medicine at the University of Juba, Sudan, retiring from one job on September 30 and flying out to take up his new post on the following day. In Sudan, despite considerable privations, he continued his scientific work and put great enthusiasm into developing a young department of medicine in the new medical school there.

In his time there he continued to be a tireless examiner throughout northern Africa, insisting that students in African countries deserved to have standards maintained whatever the political complexion of the regime they lived under. It was characteristic of him that he was examining in Tripoli, Libya, in the wake of the American bombing raids.

Many will remember his etchings which, depicting scenes overseas or in London, characterised his Christmas cards — he became an honorary fellow of the Royal Society of Painter-Engravers and Engravers in 1979. He was also a keen astronomer, and he delighted in guiding his guests around the night sky, using one of the several handsome telescopes which he had himself constructed.

He is survived by his wife, Helen, two sons and a daughter.

VERONICA PAPWORTH

Veronica Papworth, fashion writer and illustrator, died on September 21 aged 79. She was born on May 13, 1913.



FOR more than 30 years Veronica Papworth was one of the best known fashion commentators in Britain. She was also an illustrator of considerable talent and individuality. Her trade-mark was the blank, hooded eyes she gave to her models while her "dotty granddaughter" character, invented to entice younger readers, became an attractive feature of long-standing Sunday journalism for members of all age groups.

Vee Papworth — friends and colleagues never used her full Christian name — started her career in journalism as a cartoonist on the *Daily Mirror* in 1936. These were heady days at the newspaper, with Guy Bartholomew converting it into a raucous tabloid with the young Hugh Cudlipp operating as features editor. Papworth prospered on the *Mirror*, but not to any great extent. During the second world war, when the paper was achieving some of its most famous successes, she was away preparing manuals for the services and painting murals for the troops.

She became well known only when she joined *The Star*, a now-defunct London evening newspaper. Here again was a paper changing and prospering. Its circulation rose at one time to well over a million. Its editor, A. L. Cranfield, concentrated on appealing to women in an effort to beat his rivals, the *Evening Standard* and the old *Evening News*. Papworth, who had been hired as an illustrator, played an important part in his strategy. Her captions became longer and more personalised until they devel-

oped into a column. Cranfield encouraged this process, and promoted her with her pictures appearing on buses all over London. Inevitably, she attracted the attention of national newspapers, and she joined a series of talented *Star* journalists who left their ramshackle building in Bourne Street to join the Beaverbrook empire.

At the *Sunday Express* she proved an ideal operator for its predominantly middle class, middle England readership. Her column strayed well outside fashion, and it attracted men readers as well as women as it portrayed the manners and prejudices of the prosperous Home Counties. She herself lived in an elegant house in Buckinghamshire, and in later years came to London as little as possible. Her work was dominated by the world of haute couture, but she never became a part of it. She was still writing her column well after her 70th birthday.

Her first husband, Major Kenneth Christenson, died from wounds inflicted during the war, and her second husband, the surgeon John Walley, also predeceased her. She is survived by the son and daughter of her first marriage, and the son of her second.

Takashi Hasegawa

TAKASHI Hasegawa, former justice minister and a senior member of Japan's ruling

Liberal-Democratic Party (LDP), has died aged 80. Because of his alleged involvement in the stock-futures scandal, Hasegawa was forced to resign as justice minister.

Dr David Hyatt, campaigner for racial and religious understanding, died on September 8 aged 76. He was born on May 1, 1916.

DAVID Hyatt took his place as a key figure in inter-faith work when he was elected president of the National Conference of Christians and Jews in 1973. He was instrumental in bringing the NCCJ back

into the fold of the International Council of Christians and Jews (ICCC).

David Hyatt's dream of peace originated from his childhood, when he witnessed the activities of the Ku Klux Klan in his native Cleveland, Ohio. When his grandmother told him that these men hated Jews, Catholics and Blacks, he was at first bewildered and later angry. Years later, he was to act upon this anger by

joining the British Army three years before the United States went to war, serving in North Africa.

After the war and following a period working for Merrill Lynch Hyatt took a substantial cut in pay, and dedicated himself to fighting bias, bigotry and racism in America. David Hyatt was a key influence during a formative period in the history of the NCCJ. He was deeply in-

volved in the Jack Kennedy presidential campaign, during which the issue of anti-Catholic bigotry again raised its ugly head. Hyatt and other members of the NCCJ were much encouraged by Kennedy's support for inter-religious understanding.

After a short spell in the diplomatic service in Pakistan, Dave Hyatt returned to the US to take up the post of executive vice-president of the

NCCJ in 1965. In this post he continued to work closely with US presidents and civil rights activists alike. Tragically his first wife, Ricky, died and he had to take on the additional burdens of single parenthood. He remarried in 1972, and shared the rest of his life with his steadfast and supportive partner, Lillian. She wrote a biography of David Hyatt entitled: *Bonfires at Heaven's Gate*.

TEL: 071 481 4000

PERSONAL COLUMN

FAX: 071 481 9313

LEGAL NOTICES, FOR SALE, RENTALS, FLATSHARE, GENERAL OVERSEAS, ANNOUNCEMENTS, DOMESTIC & CATERING SITUATIONS, MEDICINE, ANNOUNCEMENTS & PERSONAL NOTICES, COURT & SOCIAL, FORTHCOMING MARRIAGES AND WEDDINGS, ROSAN REEVES AUCTION ROOMS, A YACHT FOR THE CZAR, ON THIS DAY, Constantine, who, after receiving from Mr. William Pearce, the head of the firm of John Elder and Co., the builders, the assurance that the vessel could be constructed in the form determined by the Amsterdam experiments with a speed of at least 14 knots, laid the designs before the Czar, and received for them the sanction of His Imperial Majesty. The vessel is now being built under the supervision of Captain Gouloff, of the Russian Imperial service of Naval Architects.

Answers from page 18  
JUL OTTA  
(a) Christmas morning services in Swedish-American churches, from the Swedish: "In the Swedish-American churches are held the children's festivals and the Jel Otta (sacred morning readings on Christmas morning) when the old, traditional Swedish Christmas hymns and songs are sung once again."  
COMITOLOGY  
(a) The scientific study of comitology: "While this is not in dispute, the fact remains that the discoverer of Parkinson's Law was also the founder of Comitology, the study of the life cycle and evolutionary development of the Committee — which is the latest of the biological sciences."  
VALSPEAK  
(b) The language spoken by teenage girls in the California San Fernando Valley: "Like you know, who can predict about you, know, language? I mean, like last year we got Valspeak."  
BASCART  
(a) A basket cart, a supermarket shopping cart: "But the pint-sized consumers confounded the experts almost as soon as they began filling their baskets."

WEDDING MORNING SUITS  
EVENING TAIL SUITS  
701 240 2310  
XENITH/THYME Wedding, Orléans, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 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331







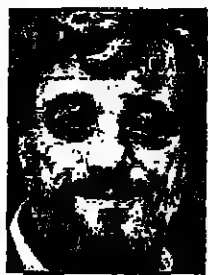
الاحد 20

DAY OCTOBER 20



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# THE TIMES 2

TUESDAY OCTOBER 20 1992

RM

Decision denies bank a City foothold

## Lloyds closes merchant bank division

By NEIL BENNETT

LLOYDS Bank is closing its merchant banking subsidiary and pulling out of corporate finance after a string of disappointing results. The closure marks the end of the bank's attempts to establish a foothold in the City.

The bank announced yesterday that it plans to wind down Lloyds Merchant Bank (LMB) over the next two years, with the loss of 50 jobs. The merchant bank's other operations will become part of the main commercial bank.

Lloyds Investment Managers, which handles funds worth £7 billion, and Lloyds Bank Stockbrokers, the two most profitable businesses in the merchant bank, will become part of Lloyds' corporate banking and treasury division.

Lloyds Development Capital, which suffered heavy losses in the first half of the year, is being merged into the commercial services division. The changes will take place early next year. LMB was

Lloyds Bank is restructuring its operations after the failure of its bid for Midland.

never an important contributor to group profits. In the first half this year it lost £1.4 million due to provisions in the development capital fund. Last year, it made £1 million.

The closure is further evidence of growing strains between commercial banks and their merchant banking subsidiaries. The Royal Bank of Scotland is selling Charterhouse to a European consortium, while TSB Group is thought to be keen to sell Hill Samuel when it returns to profitability.

LMB made heavy losses in the late eighties when it expanded into gifts and Euro-bond trading. Both these operations were closed in 1987 at an estimated loss of

£50 million when competition proved too fierce.

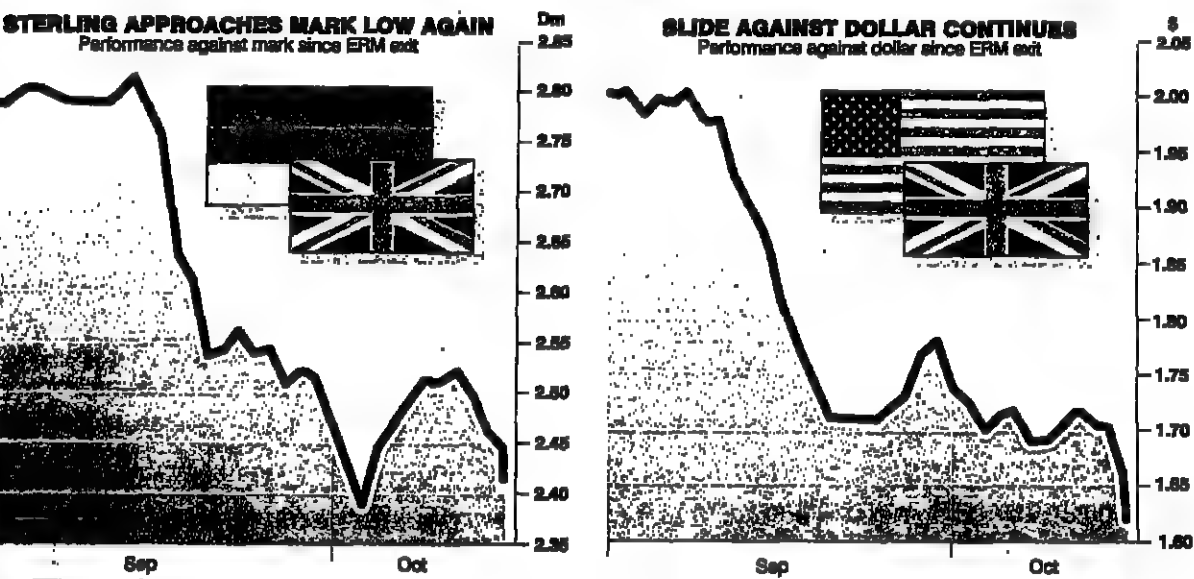
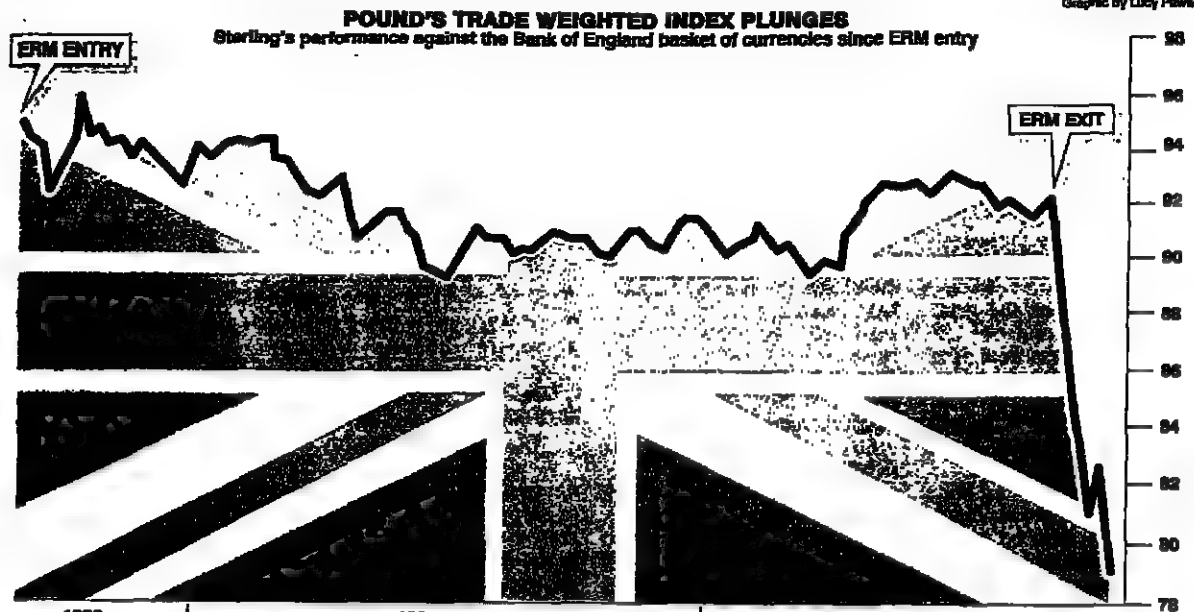
Lloyds said in a statement yesterday that LMB had decided that the corporate finance market is polarising into large firms and small independent operations. The banks believe LMB can no longer compete in the market.

The closure is a direct result of the failure of the Lloyds offer for Midland. If the bank had succeeded, it would have merged LMB into Samuel Montagu, Midland's successful merchant bank. The Lloyds bid for Midland was founded on the bank's belief that banking needs rationalisation. The planned merger would have created the most powerful financial institution in Britain, but would have led to 1,000 branch closures and more than 20,000 job losses.

When Lloyds withdrew its conditional offer after the Hongkong and Shanghai Bank raised its bid, Sir Jeremy Morse, the Lloyds chairman, said the bank would continue to manage its own business efficiently. The closure of LMB is part of Lloyds' process of weeding out underperforming businesses and focusing its resources on capital.

Lloyds said last night that the closure did not affect the group's commitment to the corporate banking market. "We are improving the reporting lines of the business to consolidate them into the corporate market. The fact that we are continuing the operations of Lloyds Development Capital even though it made a loss in the half year shows that we see it performing a useful long-term function."

Comment, page 25



## Alarmed markets send pound plunging

By ANATOLE KALETSKY AND GEORGE BROCK

THE pound plunged yesterday morning to the lowest level ever recorded by the Bank of England, as investors around the world expressed alarm about the political instability in Britain.

Although sterling recovered somewhat after Michael Heseltine, the trade secretary, announced his dimming on the pit closures, several big investment managers feared the apparent U-turn in monetary and industrial policies

might have come too late to revive the economy and save John Major's government.

The pound's trade-weighted index closed at 79.5, 1.5 per cent down from Friday's close of 80.7, and the lowest since the Bank started calculating the trade-weighted index in 1975. The previous low was 83.7, in October 1986. The steep fall came as the pound declined more than three cents against the dollar, to \$1.6287, and to DM2.42 from

DM2.4475 against the mark. However, there was no sign of panic selling of sterling and several analysts reported healthy demand for pounds from commercial buyers and long-term investors when the exchange-rate dropped to DM2.40 early in the trading day.

Analysts were almost unanimous that another sharp cut in UK interest rates would soon follow Friday's unexpected one-point reduction. Accord-

ing to one leading investment manager, sterling was undermined not by the one-point cut in base rates but by the Treasury's "appalling timing and the political panic it clearly betrayed".

Despite the renewed volatility on the currency markets, the German government yesterday ruled out another realignment of the EC's exchange-rate mechanism when its managers meet in Berlin on Friday.

## Building societies see £264m cash outflow

By LINDSAY COOK, MONEY EDITOR

BUILDING societies suffered an outflow of £264 million last month, the fourth outflow this year. During the first nine months building societies had a net inflow of just £81 million from savers.

The previous outflows were in March, June and July. Last year, building society retail receipts totalled £5.8 billion.

Adrian Coles, chief economist of the Building Societies Association, said the September outflow was the result of withdrawals for the final payment on the regional electricity shares and new National Savings products.

Lending fell dramatically last month. Gross advances were down to £1.8 billion from £4.3 billion in August. Net new commitments were down 25 per cent, from £2.4 billion to £1.8 billion.

Halifax Building Society is

to cut its mortgage rate for existing borrowers by 0.7 of a percentage point from December. The new rate of 9.29 per cent is immediate for new borrowers. The cut follows Friday's one-point base rate cut. Abbey National cut to 9.25 per cent, but also delayed its reduction to December.

The society's discounts for large loans and first-time buyers combine to give a rate of 6.9 per cent on loans above £100,000 where the first-time buyer has saved at least 10 per cent of the house price.

Halifax borrowers who have their payments adjusted annually will hear in February by how much their payments will be reduced from April. However, anyone who wants to cut payments earlier will be able to do so.

Comment, page 25

## British stance on Europe puts off foreign investors

By PATRICIA TEHAN

UNCERTAINTY over the UK's commitment to Europe is discouraging American, Japanese and continental companies from investing here.

The study, by Ernst & Young, the management consultant, says Japanese investment is already falling as fears mount that the UK is projecting the wrong image and other European countries pull out the stops to attract inward investment.

To date, the UK has attracted more American and Japanese investment than any other European country. A third of American and Japanese investment in Europe, and 27 per cent of Japanese manufacturing plants in Europe, are in the UK.

However, last year the UK's share of new Japanese manufacturing plants slipped to 20 per cent. John Sirault, senior consultant at E&Y, gave warning yesterday that overseas investors, who have already decided to locate an office in the UK, are worried they will send out the wrong signals to potential customers in other European countries.

David Rees, E&Y director, said he knows of about 10 companies which either have UK offices and are thinking of moving them or which have ruled out the UK "on the grounds of insufficient European commitment".

E&Y's study, *Regions of the New Europe*, published today,

shows the UK is still highly rated as a site for a service-sector business. It says the single European market has allowed companies to discard the notion of the nation state and begin thinking Europe-wide for their markets and regionally for their facilities.

The UK's advantages are its "excellent" telecommunications, good supply of low-cost skilled labour, good air communications and the possibility of financial incentives.

Northern Ireland, Scotland, the north of England and the West Midlands are said to be attractive for greenfield manufacturing plants. Existing research and development sites and respected educational establishments in London, Cambridge and Oxford make the South East a good location for a European R&D centre.

Mr Sirault said firms must choose between the higher productivity levels and higher labour costs of northern European countries and the low productivity, low labour costs of southern Europe. He said the UK "is halfway between the two".

The study shows which European regions are attractive for companies with particular requirements. Regions in the UK are attractive for all but energy-intensive manufacturing. Regions of France, Denmark, The Netherlands, Belgium, Italy, and Norway are more attractive.

## Crosswind that could ground Dan-Air

By HARVEY ELLIOTT  
ATR CORRESPONDENT

THE continuing attempts to free Dan-Air from the weight of its loss-making charter services and rebuild a viable airline based on its scheduled services has posed a fundamental question of competition for Britain's aviation industry and government regulators.

If the plans now being discussed go ahead, British Airways would create a completely new airline linking the best of its own Gatwick services with those of Dan-Air. The new airline would be based on, at most, the cost levels now operating within Dan-Air rather than the higher costs incurred by BA's competing service.

That would provide BA with a much needed competitive edge to turn its own European services from Gatwick into a genuinely profitable operation, significantly boost the number of flights and ensure the long-term success of Gatwick as a "hub" airport. It would also mean



job losses at Dan-Air and BA and lower wages for many of those kept on as they are brought into line with BA's own regional operations.

The problem is that it will also enable BA to become the dominant carrier at both Gatwick and Heathrow, which appears to be against the government's competition philosophy.

The alternative, however, is that Dan-Air disappears altogether, throwing 2,500 out of work directly and several thousand more in the Gatwick area.

Already rivals such as Virgin Atlantic

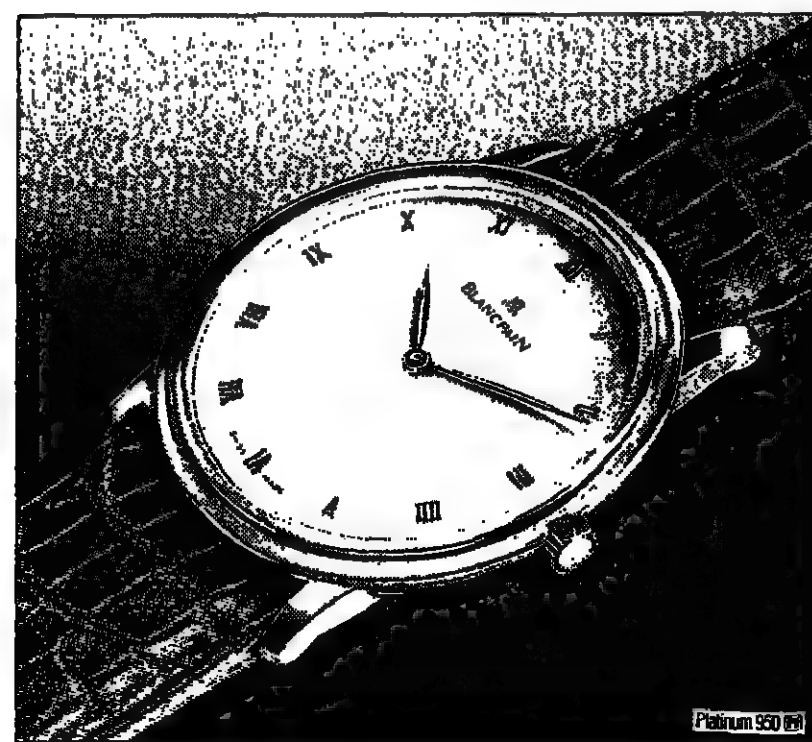
and British Midland are crying foul and calling for a referral to the monopolies commission and possibly the European competition directorate. Yet they have either made no move to rescue Dan-Air, or have examined its books and walked away. How is competition to be created, therefore?

There is already far too much capacity in the charter market and scheduled services are losing money throughout the world. It is not, therefore, a time to set up a new airline or expand an existing one.

BA, virtually alone of all big carriers, is making healthy profits. It has cut costs and is trying to boost its Gatwick operation. If it is allowed effectively to merge with Dan-Air, it can continue that pressure on costs and may be expanded.

What the government will have to decide is whether it is prepared for that to happen or whether it will insist on competition, even if nobody wants to provide it and thousands more airline staff will join the dole queue.

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# Give King Coal a chance to prove itself



**UK pits can compete with gas given a level playing field, says Peter Rost**

THE British coal industry is a tragic victim of our shameful mismanagement of energy policy, for which a succession of ministers shares responsibility. We are the only major European country endowed with abundant indigenous resources — built on coal and surrounded by oil and gas — the largest potential for renewables and the first to harness nuclear power.

Yet we now face the grim prospect of dependence on imported gas and coal, the shambles of a nuclear dream and higher energy costs over the next few years, which will handicap our industrial competitiveness even further.

The government has humiliated us with the worst of both worlds. We have failed to provide the competitive markets in energy supply, which was the primary objective of privatising the state gas and electricity monopolies. Nor have we had an energy strategy.

Where we went wrong was in failing to privatise coal first, allowing it to improve its competitiveness in anticipation of a liberated electricity market. There would have been pit closures, but probably more new investment to compensate. The clean-coal burning technologies would now be applied commercially, as in Europe and America and

productivity and competitiveness would have improved even more than the creditable achievement under British Coal's management.

The "dash for gas" could have been kept on a more modest scale, consistent with the desirability for some diversification and reduced emissions as required by our European commitment. Subsequently, the electricity industry should have been privatised with a less-flawed structure, with no opportunity for a duopoly to rig the market and with tougher regulation to ensure the lowest-cost fuel is used.

So what can be salvaged now? Ministers insist there is no sensible alternative because coal costs too much, is over-produced and the generators prefer to burn "cheaper" gas. But have these dubious economics been put to the market test? Experts inside and outside British Coal claim many of the pits to be closed could, under private-sector management, produce coal at between £25 and £30 per tonne — a competitive price.

Rather than sterilise half of what is left, why not allow the private sector to prove it? If generators are so convinced gas is cheaper, that too should be put to the market test. With 50 per cent over-capacity in the power market, new plant is



**Black outlook: today's miners are victims of many years of "shameful mismanagement" by energy ministers**

not required until some of the existing coal-fired plants reaches the end of its life. That is not yet. Some of the gas-powered stations, those with earlier, attractive gas contracts, are competitive. But many others under construction or planned will not be. As gas prices inevitably rise over the next decade and UK coal becomes even more productive, the economics will move even more in favour of coal. In a genuinely competitive market, the dash for gas would not have happened. Coal would have had a level playing field, retaining more of its share against higher-cost power from gas, and the 20 per cent

of nuclear electricity would have no buyers.

The regulator should announce now that coal-fired power stations, which the dipoly will want to scrap as the gas plants come on stream, will be offered to other operators who may wish to prove coal can underprice gas. Allowing generators to sterilise excess capacity that could generate lower-cost electricity, is anti-competitive.

In a real market, coal producers would surely fight. If generators preferred higher-cost gas rather than burn coal at about £25 a tonne, coal producers would want to take over power stations the gener-

ators wished to scrap. Coal would underprice most of the new gas-fired plants. More miners would not only keep their jobs but contribute to national prosperity.

If the declared energy policy is liberalisation and competition, then let's have something nearer to it, allowing coal to compete on equal terms.

The mess we have instead is the direct result of an ineffective regime, correctly predicted by the now defunct Energy Select Committee in two reports on electricity privatisation and the future for coal.

If government had taken notice, coal could have been saved. It need not be too late.

What we need is genuine competition, with a guiding strategy that bears some relationship to macro-economic objectives and the longer-term national interest.

Surely the misguided decision to decimate the coal industry must be deferred until a credible cost-benefit analysis is presented to Parliament — an assessment that will look beyond this year's crisis, management by the Treasury.

Until April 1992, Peter Ridd was a member of the Commons energy select committee

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**Analysis, pages 2 and 3**  
**Peter Riddell, page 16**  
**Leading article, page 17**

## Trinity share dealing off to buoyant start

FIRST-time dealing in shares of Trinity Holdings, which designs and makes Dennis fire engines, buses and duncarts, got off to a confident start despite the theft of 300 share allocation letters from the Birmingham offices of Albert E Sharp, the lead broker to the issue. The original white letters are valueless as the brokers have officially cancelled them and sent investors replacement green ones. Chris Hankley, corporate finance director at Albert E Sharp, said the letters disappeared on Friday after being sent by the company's registrars in Edinburgh. The Stock Exchange had been informed.

Trinity announced on Friday that the offer to intermediaries had been oversubscribed 2.29 times. The sale raised £30 million; the shares opened at an 8p premium to the 120p offer price and ended the day at 129p.

## Baltic cuts dividend

**BALTIC**, the leasing and property group, has cut its interim dividend from 1.83p to 0.5p and given warning that the final is also under review. The company incurred pre-tax losses of £2.73 million for the six months to June 30, compared with £5.6 million profit last time. Threading improvement expected in March failed to materialise and Baltic sees no sign of a recovery this year. The deficit included an exceptional charge of £5.5 million. Losses were 6.5p a share, fully diluted, against earnings of 8.1p.

## Loss grows at Gieves

THE recession and exceptional losses combined to push Gieves Group, the publishing to clothing group that owns Gieves & Hawkes, deeper into the red at the half-year stage. Lower sales volumes and reduced margins in the UK saw pre-tax losses increase to £530,000 (£467,000 loss) in the six months to end-July. Turnover plunged to £10.1 million (£24.3 million). The loss climbed to 3.5p (3.3p) a share. There is again no interim dividend. The shares lost 2p to 23p.

## MY boosts profits

THE recovery continued at MY Holdings, the USM-quoted company, in which Malbak, the South African industrial group, has an 86 per cent stake. Pre-tax profits jumped to £2.02 million (£547,000) in the year to end-August. Turnover dipped to £34.3 million (£35.8 million) and earnings more than doubled to 3.41p (1.66p) a share. A final dividend of 0.75p (0.5p) a share is proposed, giving 1p (0.5p) for the year. The shares rose 3p to 38p.

## THE TIMES UNIT TRUST INFORMATION SERVICE

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# Jobs and investment suffer as recession in capital deepens

By Neil Bennett

LONDON is plunging deeper into recession, according to a grim quarterly survey from the London Chamber of Commerce and Industry. The report shows that the rise in unemployment is accelerating and investment is being slashed as domestic and export orders continue to slump.

More than a third of the 285 firms in the survey, which employ nearly 200,000 people, reported a fall in staff during the third quarter of the year, while less than 11 per cent of companies increased their workforce. This is a sharp deterioration from the second quarter and the worst figure since early last year.

The report confirms employment department figures showing that the capital is suffering badly from the rise in unemployment. The department's statistics show that the jobless figures rose 5.3 per cent in London in the third quarter, compared with an average rise of 4.4 per cent in Britain as a whole. Firms expect to make further heavy cuts in the weeks before Christmas. Investment is also suffering

## Unemployment in London is accelerating and investment is being cut

ing. One in five manufacturing firms and a quarter of service businesses have cut back their investment plans, while less than 10 per cent are increasing spending. The cuts are being forced by a slump in orders. Thirty five per cent of service businesses said their domestic sales fell in the quarter, while only 25 per cent reported an increase. The manufacturing sector was even worse hit: 44 per cent of companies suffered a fall in domestic orders compared with a rise at 22 per cent. Export orders in both sectors also fell. The London Chamber of Commerce said the city's economy remains critically weak. Simon Sperry, the chamber's chief executive, said: "The survey makes dispiriting read-

ing for all of us who are trying to build London's prosperity. The gloomy economic news is expected to continue tomorrow when the government publishes retail sales figures for September. Economists expect these to show a fall of 0.3 per cent, offsetting almost all the 0.8 per cent gain in August. Robert Lind, a UK economist at UBS Phillips & Drew, the stockbroker, said: "We cannot discount further bad news in retail sales for the rest of the year due to the recent collapse in consumer confidence."

Consumer confidence is still falling and cannot be expected to form the basis of economic recovery, according to a new barometer on consumer spending launched by Verdict, the retail research consultant.

Verdict has questioned a cross-section of consumers on their plans to buy a range of non-essential goods, including houses, cars, clothes and furniture, and has concluded that since June there has been a steady decline in purchasing intentions. "The recovery is not around the corner - indeed spending intentions remain on a downward trend," the consultant reports. Verdict has drawn up an index of purchasing intentions, according to how many of the named items those questioned plan to buy over the next six months, and says the September index is nearly 2 per cent below the figure for August.

Much of the research predates the exit from the exchange-rate mechanism last month and the accompanying upheaval on currency markets, but Richard Hyman, the Verdict managing director, says the results of the survey are consistent both with published economic statistics and anecdotal evidence on the high streets. "There has been no massive difference since last month, and the trend is still downwards - I would expect October's figures to be down again," he said.

By area, the South East has been hardest hit, including a fall in planned house purchases in a market already as badly hit as any. Verdict concludes that, for the country as a whole, September's fall in purchasing intentions was entirely due to declining confidence on the part of male consumers, with car purchases a key area.

# Henry Boot builds up interim profit

By Martin Waller

THE uncertainty over the future of the mining industry is already having an impact on Henry Boot & Sons, the Sheffield contractor and property group that has housebuilding operations in affected areas such as Doncaster and Mansfield.

A call for government action to boost the construction industry has accompanied half-year figures that show the company is keeping its head above water.

Henry Boot, which had a £14.6-billion cash pile at its December 31 year end, saw pre-tax profits edge ahead to £2.21 million (£2.97 million) in the six months to June 30, after earning interest of £750,000.

David Boot, the chairman, said that while construction had benefited from settlements of earlier claims against clients in the first half, the business was suffering from reduced enquiry levels for new

work and tight margins. He said: "Action must be taken by the government to stimulate the construction industry. There will never be a better time to invest in the country's infrastructure than the present."

The interim dividend is raised from 1.5p to 1.6p. Mr Boot said the figures were encouraging, but the business climate was too unstable for meaningful predictions for the full year to be possible.

Mr Boot said property investment and development had had to be curtailed, although progress had been made in planning consents, rental growth and property joint ventures.

Housing completions were slightly ahead of last year, but prices and margins had fallen. But the prospect of much of the mining industry closing was depressing interest in new housing in areas affected. The shares rose 5p to 180p.

# US and Britain in talks to liberalise air services

By Harvey Elliott, AIR CORRESPONDENT

BRITISH and American government negotiators today begin the second round of talks aimed at liberalising transatlantic air services - with the success of the proposed British Airways investment in USAir hanging on the outcome.

Although British Airways maintains the deal falls outside normal bi-lateral agreements, the British transport department and its US counterparts have accepted that it is inextricably linked. The British side tabled proposals in Washington this month that would have allowed American carriers gradually to obtain greater freedom to fly to,

within and beyond Europe from British airports, provided the deal was approved and foreign airlines were able to take a bigger stake in US airlines.

United, American and Delta, the big three American carriers, put pressure on their negotiators to reject the deal and demand unfettered access to Heathrow and beyond immediately. Indications are that the American government team has now accepted the principle of "phasing".

The three claim that if the BA/USAir deal goes ahead as planned they would lose \$520 million a year in revenue and jobs may be lost.

# Shipping venture sinks Quadrant into red

By Our City Staff

A DISASTROUS foray into the world of shipping has sent Quadrant Group, the photo and video equipment distributor, crashing into the red in the first half.

In March last year, Quadrant bought two liquefied petroleum gas vessels from the family company of Robbie Brothers, a businessman based in Hong Kong who took a near-16 per cent stake in the company and became chairman and chief executive.

Mr Brothers has resigned, his shares have been cancelled, and the company is pulling out of shipping at an exceptional cost of £3.6 million.

Quadrant will make about £1.1 million from the cancellation of Mr Brothers' stake. But it is left with a pre-tax loss of £4.8 million (£940,000 profit) in the six months to end-August. The shares have crashed from £1.40 at the time of the shipping deal to about 20p. Lord Rees of Goyte

succeeded Mr Brothers as chairman in August. Andrew Douglas has been appointed chief executive officer and Vincent Ashe is the new finance director. The reorganised board is seeking to return the group to profitability.

Turnover increased to £28.8 million (£26.4 million). There is a loss of 16.85p (2.04p earnings) a share, and no interim dividend (1.65p). The withdrawal from shipping and a reorganisation

gave rise to an exceptional charge of £3.6 million. In addition, there is an extraordinary charge of £8.2 million, of which £7.5 million relates to the writedown of the value of the two ships.

Steps are planned to integrate the video and processing divisions at Leeds into a single commercial products and services division based in Coventry. Trading results show little prospect of improvement in the second half.



Company doctor: Christopher Stainforth will advise the group on expansion

# Stainforth joins ailing Regal

By Matthew Bond and Jon Ashworth

CHRISTOPHER Stainforth, the corporate financier acquitted of fraud charges earlier this year in connection with the Blue Arrow affair, is turning company doctor.

He is joining the board of Regal Hotels, a USM-quoted group that has been struggling to overcome financial troubles. The company's main trading subsidiary was placed in liquidation in October 1991, and two of its hotels went into receivership.

Mr Stainforth, a former director of corporate finance at UBS Phillips & Drew, was acquitted of conspiracy to defraud in February at the end of the Blue Arrow trial.

He has been appointed a non-executive director of Regal to advise on expansion plans.

He said the group aimed to acquire three- to four-star hotels in towns and cities outside London and might move into the continent. A change of name is planned.

Mr Stainforth was one of three board appointments that accompanied news of a capital reconstruction, an £800,000 rights issue and details of voluntary arrangements the company hoped to agree with its creditors. Regal's shares were suspended at 3p last month, pending clarification of the group's financial position. Sharehold-

ers are offered 15 new shares at 5p for every existing share. Creditors are being offered £70,000 in new shares, equivalent to 10p per pound owed. The other new directors are Keith Goldie-Morrison and Mark Williamson-Noble. George Hill steps down as chairman.

Long-delayed results for the year to December 29, 1991, showed a pre-tax loss of £844,000 but an attributable profit of £6.75 million after a £7.6 million extraordinary gain. In the six months to July 12, Regal made a pre-tax loss of £663,000. An extraordinary meeting has been called for November 9.

# Clients of failed Manx bank may get £5,000

By Jon Ashworth

ISLE of Man officials are expected to meet today to decide whether to approve *ex gratia* payments of £5,000 each to 3,000 depositors who lost a total of £42 million when the Savings and Investment Bank collapsed 10 years ago.

The level of the proposed payments has angered depositors, who have been pressing for full compensation and interest for losses suffered. The Chadwick report into the debacle, published in September after six years of legal delays, painted a damning picture of lax and inefficient banking supervision in the years leading up to the crash.

The Manx government is meeting to debate a £4.45 million *ex gratia* compensation scheme. If it is approved, depositors who placed £10,000 with the bank will get 50 per cent of their money back. Depositors have had a return of 27.5p in the pound from liquidators and a further small payment is likely early next year.

The controversial fraud trial of eight men involved in the bank's collapse was abandoned in April 1990 because of the eight-year delay in bringing the prosecution. The affair has cost the Manx government £11 million so far, including court and legal costs.

Robert Killin, former managing director of the failed bank, received a suspended jail sentence earlier this month after being convicted of conspiracy to defraud. The case against him centred on a fraudulent land deal.

The Chadwick report on the bank's collapse found that Manx treasury officials had failed to monitor the bank and had allowed it to trade for at least 16 months while insolvent. It found that warnings of insolvency had gone unheeded, returns had not been analysed by the treasury and the bank had been allowed to deal in contravention of rules. Tim Beer, of KPMG Peat

Marwick, and Michael Jordan, of Cork Gully, the inspectors who assisted Mr Chadwick, found no record at the Manx Treasury of analyses or comment on the bank's quarterly returns.

The report also referred to "funny money" deals carried out by Peter Duncan, the treasury official responsible for supervision at the time of the collapse.

The Manx government has never admitted liability for the collapse. In 1989, the bank's depositors took their case to the Privy Council - the ultimate court of appeal for the Isle of Man - which ruled that the government had no legal duty of care towards depositors.

# Bid to curb wrongful trading

POOR management is still the main reason for company failures, according to a report that proposes measures to curb wrongful trading.

The report, by the Chartered Association of Certified Accountants, suggests setting up a regulatory body to control the entry, training and conduct of directors. Other measures include supervisory boards to monitor directors and a minimum capital requirement for private firms.

# Bio-Tech trials

British Bio-Technology Group's Aids treatment vaccine has been recommended by Niald, the US government agency, for clinical trials.

# Chevron deal

Chevron has agreed to sell its one-third interest in the Collahuasi copper district joint venture in Chile to Minoro for about \$190 million.

# National Westminster Bank Interest Rates

National Westminster Bank announces the following interest rates, effective from 20th October 1992:

SAVINGS			
Net Interest per annum		Gross Interest per annum	Gross C.A.R.
N/A	TESSA Reserve Tax Free Savings No Minimum Balance	7.75%	7.98%
5.63%	Crown Reserve 3 Months Notice £50,000 and above	7.50%	7.71%
5.34%	\$25,000 - £49,999	7.125%	7.32%
4.97%	\$10,000 - £24,999	6.625%	6.79%
4.59%	\$2,000 - £9,999	6.125%	6.27%
5.44%	Diamond Reserve 1 Month Notice £50,000 and above	7.25%	7.50%
5.16%	\$25,000 - £49,999	6.875%	7.10%
4.78%	\$10,000 - £24,999	6.375%	6.56%
4.41%	\$2,000 - £9,999	5.875%	6.04%
5.16%	Premium Reserve Instant Access £50,000 and above	6.875%	7.05%
4.97%	\$25,000 - £49,999	6.625%	6.79%
4.69%	\$10,000 - £24,999	6.25%	6.40%
4.31%	\$2,000 - £9,999	5.75%	5.88%
2.81%	Special Reserve Instant Access £25,000 and above	3.75%	3.80%
2.63%	\$10,000 - £24,999	3.50%	3.55%
2.44%	\$2,000 - £9,999	3.25%	3.29%
2.25%	\$500 - £1,999	3.00%	3.03%
3.00%	First Reserve Instant Access £1,000 and above	4.00%	4.06%
2.63%	\$500 - £999	3.50%	3.55%
2.25%	\$250 - £499	3.00%	3.03%
2.06%	\$100 - £249	2.75%	2.78%
1.88%	\$50 - £99	2.50%	2.52%
2.72%	Investment Account 6 Months Notice	3.625%	3.66%
2.63%	3 Months Notice	3.50%	3.53%
2.63%	Monthly Income Account	3.50%	3.56%

Where appropriate, Basic Rate Tax will be deducted from interest credited or paid (which may be reclaimed by resident non-taxpayers). Subject to the required registration form, interest will be paid gross. Gross Compounded Annual Rate (C.A.R.) is the true annual return on your savings if the interest payments are retained in the account. Existing Account Holders only. Monthly Income Account effective from 1 November 1992.

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## TEMPUS

**THE** departure of Habiba from the Storehouse stable may mark the final unwinding of the grand strategy of Si-

Bankmark (Arab)	16,065-0.15-15	Belgium (Com)	24.35-0.30-24.65
Brazil cruzeiro	1167.9-1.1687.9	Canada	1.2463-0.2463
Orgy posmed	0.75-0.75-725	Denmark	5.71-5.71
Poland zloty	7.022-0.7025	France	5.030-0.5035
Congre drachma	7.022-0.7025	Germany	0.485-0.485
Hong Kong dollar	31.052-5.1256	Hong Kong	7.731-7.732
India rupee	12.525-12.566	Italy	1.767-1.767
Kuwait dinar KD	0.475-0.482	Japan	130.7-130.7
Malaya ringgit	4.067-4.4075	Italy	119.75-119.85
Mexico peso	307.9-0.310	Switzerland	2.505-2.505
New Zealand dollar	3.101-2.023-0.205	Netherlands	1.670-1.671
Saudi Arabia riyal	2.613-2.1185	Norway	6.45-6.605
Singapore dollar	2.613-2.1185	Spain	
S Africa unit rand	5.917-6.6674	Sweden	1.6095-1.16095
TAIEX unit cent	0.701-0.701	Switzerland	5.25-5.25
U.S. dollar	5.9075-5.9225	Switzerland	1.323-1.323
Overseas Bank GTS = Leeds Bank			

MONEY EXPENSE (%)				
Prime Bank Rate (Dep)	1 with 7 1/2%	1 with 7 1/2%	1 with 7 1/2%	12 with 7 1/2%
Discount Market Loans 0/night bill	1 with 7 1/2%	1 with 7 1/2%	1 with 7 1/2%	12 with 7 1/2%
Treasury Bills (0/night): 2 with 7 1/2%; 3 with 7 1/2%; 5 with 7 1/2%; 7 with 7 1/2%; 12 with 7 1/2%				
Prime Bank Rate (Dep)	1 with 7 1/2%	1 with 7 1/2%	1 with 7 1/2%	12 with 7 1/2%
Sterling Money Rate	7 1/2%	7 1/2%	7 1/2%	7 1/2%
Overnight open % close 3/4	7 1/2%	7 1/2%	7 1/2%	7 1/2%
Local Agency Depo	7 1/2%	7 1/2%	7 1/2%	7 1/2%
Sterling Cdn	7 1/2%	7 1/2%	7 1/2%	7 1/2%
Dollar Cdn	7 1/2%	7 1/2%	7 1/2%	7 1/2%
Building Society Cdn	7 1/2%	7 1/2%	7 1/2%	7 1/2%

ECGD: Fixed Rate Sterling Export Finance. Make-up date: Sept 30, 1992. Agreed rates Oct 1, 1992 to Nov 24, 1992. Schemes 1-11.18%. Schemes 12-11.92. Reference rate August 29, 1992 to Sept 30, 1992. Scheme 13-11.12%.

FIXED RATE DEPOSITS (%)				
Currency	7 day	1 with	3 with	5 with
Dollar	7 1/2%	7 1/2%	7 1/2%	7 1/2%
Deutschmark	7 1/2%	7 1/2%	7 1/2%	7 1/2%
Swiss Franc	7 1/2%	7 1/2%	7 1/2%	7 1/2%
Yen	7 1/2%	7 1/2%	7 1/2%	7 1/2%

BAIRD & CO. BANKING SERVICES (BAIRD & CO.)

London: Open \$342.80-343.10. Close \$342.80-343.10. High: \$342.80-343.10. Low: \$341.50-342.80. Range: \$342.80-343.10 (\$29.25-21.00).  
 New York: High: \$342.80-343.10. Low: \$341.50-342.80. Range: \$342.80-343.10 (\$29.25-21.00).  
 Tokyo: High: \$342.80-343.10. Low: \$341.50-342.80. Range: \$342.80-343.10 (\$29.25-21.00).

07/10/50



## Lloyds bites yet another bullet

Lloyds Merchant Bank, which lost £14 million in the first half of the year, did not attempt to hide its dilemma from head office. To win business in a shrunken and polarised corporate finance market, merchant banks either have to have big resources of management, and preferably capital, or they should be niche advisers relying on the special expertise and connections of high-profile individuals. Medium-sized players within the relative anonymity of a big banking organisation were not likely to make a lot of money, even when the business climate improved. The reaction of Brian Pittman, the chief executive who has made Lloyds a byword for avoiding me-too corporate expansion, was predictable. In practical terms, Lloyds Merchant Bank will soon be no more.

That response was typical but the dilemma is much more general. Royal Bank of Scotland is close to selling Charterhouse, a much bigger operation than LMB, with strong specialities in buyouts and venture capital. TSB would like to do the same at Hill Samuel if it thought there would be genuine buyers before the debris of past mistakes is cleared up. National Westminster had high ambitions at one time. It therefore lost a lot of money in the aftermath of the Stock Exchange reforms while Lloyds had barely stuck its toe in the water before withdrawing. Having suffered the additional embarrassment of the Blue Arrow affair, NatWest has already taken a similar line to Lloyds, bringing its merchant bank business into mainstream banking divisions while retaining a vestige of the corporate finance capability that the more brutal Lloyds will shed.

LMB had a personality of its own and did not shrink involvement in daring and occasionally hopeless cases such as the European consortium bid for Westland. Its closure will make little immediate impact on Lloyds but amplifies the increasingly pressing question of where Britain's most profitable bank can go from here. Lloyds is good at shrinking to maximise returns on capital. Its attempts at expansion, exemplified by the ill-considered bid for Midland, have thus far seemed unimaginative.

## Savers strike

Building societies are finding falling interest rates almost as embarrassing as coping with 15 per cent base rates. The heavy outflow in September makes a wretched nine months in which they have attracted only £81 million net, compared with an inflow of £5.8 billion for the whole of 1991. To keep the money flowing, they are also having to rely more on money markets than on individuals, who are being wooed by National Savings.

This loss of momentum matters less when lending business is slack but shows they are not juggling the competing requirements of savers, borrowers and stretched balance sheets too successfully. The societies want to keep rates down to turn up business and be politically correct. At the same time, they need to unwind some of the loss-leader deals they cooked up when rates were high. Instead of merely restoring gross margins, they need to widen them to cope with heavy arrears of mortgage interest payments, not made any easier by recent efforts to hold fire on repossession to help stabilise house prices.

That puts savers at the end of the queue, especially the loyal small savers who traditionally gave the societies their edge. Last time base rates fell, savers took the brunt of the societies' drive to widen their margins. This pattern looks likely to be repeated. If the societies are not to lose ground in the long run, they will need to protect their retail savings base rather than follow the same ultimately sterile path pursued by the high street banks when they lost out to the societies in the savings market.

# Clinton roadshow drifts towards the trap of Fortress America

The Democratic contender for the US presidency is unlikely to offer any fresh New Dealism, writes Colin Narbrough

America appears convinced that it is time for change in the White House, especially on the economic policy front. If the pollsters are right about the lead Bill Clinton, the Democratic contender, commands in the run-up to the presidential election on November 3.

Mr Clinton is certainly out to put the focus back on jobs for Americans with a stimulative fiscal package, a policy that has untold appeal to voters, at a time when the indicators suggest the American economy is starting to dip again after a long and unconvincing climb out of recession. Yet, for all the policy gaps still to be filled in, a Clinton presidency promises to be a far cry from the New Deal of Franklin D Roosevelt.

It should, however, change some of the assumptions about the government's role, moving it away from the philosophy of Reaganomics espoused by the Republican administrations of the eighties. Many Americans are fed up with trickle down. The failure of supply side economics to restore budget balance, or prevent the longest and deepest recession since the thirties, was natural justification for more pragmatic policies. President Bush has been less dogmatic, but has been ineffectual in coaxing Americans into a more confident mood.

There will be no need to read the presidential lips about taxation: Mr Clinton has already gone loud and clear on his readiness to resort to tax hikes, if judged necessary. Ronald Reagan's view that the best public sector economics was no public sector economics will be swapped for Mr Clinton's "aggressive jobs programme". But that does not mean Mr Clinton wants a return to port-barrel politics or to enlarge the machinery of government. On the contrary, he favours compact, effective agencies capable of delivering economic revival and wants to cut bureaucracy.

America's Employment Act of 1946 gave flesh to the main lesson of the New Deal era: that a modern economy needs effective public economics to create the foundation that the private sector needs to put the economy on a sustained path of growth and prosperity. The Act contributed to the powerful performance of the American economy in subsequent decades, a development assisted by Washington's good sense to promote the Marshall Plan, the new world monetary order of Bretton Woods and the principle, if not the practice, of free trade.

As a child of the post-war age, Mr Clinton is no hostage to the Demo-



crats' policy response to the great depression. But, like Roosevelt, he wants to correct the neglect of the government role as a force for change. But the correction must be effected without reviving the excesses of government that have, in the past, damaged growth. As one New York economist said, a Clinton administration will deliver "New Dealish energy, but without the baggage".

Importantly, Mr Clinton's economic advisers come mainly from Harvard and the Massachusetts Institute of Technology, not the Chicago School that has provided the economic gurus of the Reagan-Bush years. Restoring economic health soon will prove difficult for any president, Democrat or Republican. Alan Greenspan, the cautious chairman of the Federal Reserve Board, made clear in remarks last week that Fed might have run out of road, as far as monetary easing is concerned. With the discount rate at 3 per cent, its lowest for 29 years, after a long cycle of easing, Mr Greenspan is reluctant to cut again this side of the November 3 election. The concerns he voiced about the scope of monetary policy to lift economies, not just America, suffering from unprecedented asset price deflation and a huge debt overhang, supported the

increasingly accepted view among Wall Street economists that recovery this time will be much slower than after previous recessions. It could be that Mr Greenspan was diplomatically putting off the next rate cut until after the election, so as not to seem partisan. The downward momentum shown in the most recent economic data points to a very weak fourth quarter and undermines the prospects for a pickup in the first half of next year.

With current fiscal policy set to act as a restraint to growth next spring, and export markets on a weakening trend, America will struggle to maintain the 1.5 per cent growth rate seen over the past 18 months, a rate insufficient to boost employment. The fourth quarter looks likely to be the weakest since the end of 1991, when the economy grew 0.6 per cent. Manufacturing output is already being scaled back. Consumer confidence is falling again and any temporary boost that followed Hurricane Andrew in August has all but blown itself out. Inflation is no problem. The ultimate size of Mr Clinton's fiscal boost will, of course, depend on the precise state of the economy when he takes office in

January. The actual package would probably not be in place until the end of the first quarter. On present readings, he is likely to go for a rather modest initial package worth about \$30 billion, or 0.5 per cent of the gross domestic product. Much more than that would run the risk of sacrificing budget control, even though a Democrat-dominated Congress would probably allow budget balancing requirements to be set aside. Given that simultaneous Democrat control of the White House and Congress have usually pushed up the deficit, Mr Clinton will be forced to build up market confidence to avoid interest rates being raised.

Last week, the markets took fright at the prospect of a Clinton victory. Long-term interest rates rose disturbingly. Mr Clinton immediately sought to assuage market fears, declaring that he would not increase the budget deficit of more than \$300 billion. His economic planners hope to maximise public sector resources by accelerating spending programmes and introducing a targeted investment tax credit that would provide stronger incentives for companies that bite early. The total fiscal stimulus over four years is expected to amount to a maximum of \$200 billion. Only half the budget deficit

would be cut over the same period, with the timing based on the strength of the economy, leaving a \$50 billion-a-year leeway for increased public investment in roads, bridges and other infrastructure schemes, education, training and research.

Mr Clinton has said repeatedly that he does not want to be judged solely by the budget deficit, hardly a statement designed to instil confidence in his public spending plans. But his argument has been consistently that quick cuts into the deficit could put the economy at risk. While his revenue estimates have been criticised as over-optimistic, few economists doubt that growth would be almost half a point stronger, at about 2.4 per cent, next year under a Clinton administration than they would be if President Bush was re-elected. But not all of the Clinton camp's plans are perceived as growth-friendly. Plans to raise taxes on the wealthy and on foreign companies, while lowering them for America's middle classes could also backfire. For companies in which foreign ownership is more than 25 per cent, Washington would raise extra taxes of \$4.5 billion over the next four years.

British investors, in particular, would be on the receiving end. The impact on growth, in states courting inward investment, of a proposed end to tax breaks could be serious. Senator Albert Gore's enthusiasm for environmental taxes could act as a disincentive to investment, although his "greenness" is likely to be reined back. President Bush has sought to inject fresh momentum into the world trade talks, hoping for a pre-election triumph on free trade. He has also focused attention on the North America free trade pact with Mexico and Canada. But his championing of free trade has a hollow ring at a time when America has boosted export subsidies to wheat farmers.

Yet exports, in spite of the cheap dollar, have failed to sustain the growth hoped for, largely a reflection of the sluggish state of the world economy. The concern about open markets and rising exports is justified, for without the export growth it has had, the American recession would have been twice as severe. Mr Clinton has not been enticed into endorsing Mr Bush's stance on free trade pacts. On the contrary, he has encouraged the idea that he is not prepared to sign deals that fail to deliver a "fair deal" for American producers. Mexico has been alarmed by noises coming from the Clinton team that suggest that poor environmental and working conditions in Mexico will distort cross-border trade and drive industry south across the Rio Grande, costing Americans jobs and output.

Not that Mr Clinton wants a Fortress America. Rather, he wants to win the union vote this side of the election and be free to secure changes afterwards. The rest of the world can only hope that President Clinton does not find himself unable to shed his protectionist mantle.

## THE TIMES CITY DIARY

### Open book on Downing St duo

IF JOHN Major and Norman Lamont had hoped that their most recent base rate reduction would win them friends in the City, then they are in for an unpleasant surprise. Stock market traders, who would never allow party politics or sentimentality to influence their view of a market, have been "selling" both men via IG Index, bookmaker to the City, in the belief that neither will be in their present job come March 31. David Morrison, the man behind the book at IG Index, says he has been shocked by the weight of money being wagered "and all of it one way". He says that whilst Lamont's position was "a bit of a worry" when betting began on September 28 - it hit a low point with the favourite exit date being December 20 and then rallied marginally - Major's position, at first, looked reasonably safe. In recent days, however, his perceived lifespan as prime minister "has fallen drastically. The position for both of them now looks desperate". "There are either a lot of very hard-headed people out there or people are very cheased off," Morrison concludes.

### Bowled over

THE MCC does not usually allow corporate entertainment in the hallowed Long Room at Lords but it is making an exception tonight for Colin Ingleby-Mackenzie, chairman of Holmwoods, the schools insurance firm. Ingleby-Mac-



"Confidence has never been lower - it's their fourth closing down sale"

kenzie, 59, spent his first six years at Holmwoods, between 1958 and 1964, captaining Hampshire, fitting in visits to schools before 11am when County matches began. Still a much-loved figure in cricket, he feels it is only appropriate therefore that he should mix cricketing and insurance friends at the party to celebrate Holmwoods £33 million buy-out from Brown Shipley this summer. "Cricket has been a very good calling card," he says. The guests will include David Coleridge, Lloyd's chairman, cricket star, Dennis Compton, as well as MCC president, Dennis Silk, former warden of Radley, Hampshire will also be well represented. Among Holmwoods' directors, Ingleby-Mackenzie says, is Nick Pocock, another ex-Hampshire captain, who was similarly given carte blanche to pursue his captaincy while working for Holmwoods. "I'd do the same for any Hampshire captain," Ingleby-Mac-

kenzie admits. "As far as I'm concerned they're all stars."

### Smith arrives

CONTRASTING Terry Smith, UBS Phillips & Drew's former head of research, resurfaced yesterday at Collins Stewart, a firm formed 16 months ago by four ex-Simon & Coates men. The firm, 51 per cent owned by Singer & Friedlander, has also offered a job to Smith's one-time banking team partner David Portney, a specialist in merchant banks and other financials. "We do have about half a dozen corporate clients, but none of them are in the banking sector," says Leigh Collins, one of the founders. "Lloyds Bank is not going to appoint us as its broker tomorrow and so problems of conflict are not going to arise. What is more, our institutional clients respect Terry's stance." The arrival of Smith and Portney will compensate Collins Stewart for the non-arrival of Nick Whitney, who had been expected to join ten days ago. After more detailed talks, Whitney, also ex-Simon & Coates, where he was part of its top ranked engineering research team, and Citicorp, has decided not to accept the offer. "In the final analysis there was a difference in emphasis on what his role was going to be," says Collins. "But there were no arguments. We are all still friends."

### Water-borne

TALK about appropriate names - a corporate directory, for use in the offices of Northumbrian Water, one of the ten privatised water com-

panies, shows its employees include Pamela Waters, an accountant, a production director called John Pool, a recreation manager called Dr Chris Spray, distribution adviser Steve Tinkler and a consultant by the name of Dr Anne Starling who is busy counting ducks on Northumbrian's reservoirs. "Appropriateness of name is not a qualification for employment here," the firm's PR manager says, before revealing he is Andrew Panting. "I used to work for Southern Water and my name was even more appropriate than as my prime responsibility was to publicise the drought."

### Video player

DAVID Davis, aged 56, a former Times journalist, who, until three months ago, was a London-based vice president of Daniel J. Edelman, the largest privately owned PR firm in the world, has landed a new job as vice chairman of Europe of Medialink, a distributor of video news releases and satellite media tools to television newsrooms. Medialink, launched in 1986, and headquartered in New York, already deals with 40 per cent of all television newsrooms in Europe. "There is already evidence that the video news release, the satellite media tour and video teleconferencing will become standard features of public relations programmes in Europe as more consultancies and client companies begin to recognise the power and cost-efficient communications benefit of television," says Davis.

CAROL LEONARD

## Pension law committee is anxious to hear scheme members' views

From Professor Roy Goode Sir, I can assure Mr Campion (Letters, October 13) that the Pension Law Review Committee is very alive to the concerns of members of occupational pension schemes and anxious to have their views.

At the press conference to launch our Consultation Document, I said: "Millions of people rely on occupational pensions to provide them with a secure income when they retire. It is vitally important that they should know their pension rights, that they should be fairly treated and

that their pension entitlements should be properly secured."

The Consultation Document is necessarily detailed and, in part, a little technical because of the intricacies of pension schemes and the pensions industry, the complexity of the existing law and the controversy surrounding a number of key questions.

But we have made every effort to explain the issues and to provide background material for the non-professional reader, and our document makes it clear that we welcome all views, whether or not they

fit into the structure of the Consultation Document.

In addition, announcements have been made in the national press extending an open invitation to all those interested in occupational pensions to write to us with their views.

Moreover, we shall, during the next two months, be holding three public hearings - in Birmingham, Edinburgh and London - and each hearing will be given over almost entirely to scheme members and others present to make known their view-

points and concerns and to raise issues for our consideration.

All views expressed to us, whether orally or in writing, will be carefully considered when we come to prepare our report and make our recommendations to the Secretary of State.

Yours faithfully, ROY GOODE, Chairman, Pension Law Review Committee, Vincent Square, SW1.

## Clients' VAT gives businesses added credit

From Mr I. Montgomery Sir, Mr Gray (Letters, October 13) is taking a very selfish attitude as he has not appreciated the simple basis of VAT collection in that we, the public, hand over to him the 17.5 per cent VAT with no credit whatsoever. Business is gaining a decided advantage in having to complete a VAT return every three months, with a further month to pay, so perhaps we, the public should equally be entitled to credit.

It is not for the government to provide further extension of credit when the public shareholders of the government are being denied any semblance of equity from business. All businesses are on the same footing and no business should depend for its finance on VAT paid by its customers. VAT has to be paid, be it this month or the next; it is an illusion to want to put it off that bit further, unless it were to be put off altogether. But, of course, we know pigs don't fly. Yours faithfully, I MONTGOMERY, Birchbank, Loch Olne, Elgin, Moray.

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## Compensation needed for collecting taxes

From Mr David Harrop Sir, Jonathon Sumpson (Business Letters, October 15) is fined £6,400 for being eight days late with his VAT. The average small business owner is paid about 51 days late yet is denied the automatic right to collect interest on overdue debt by the very same government that uses swingeing penalties to bully honest traders like Mr Sumpson. We believe it is only a matter of time before the UK passes

an "interest on debts" law. In the meantime shouldn't private businesses be compensated for collecting taxes on behalf of the government? On Mr Sumpson's experience, they might even be entitled to "danger money". Yours faithfully, David Harrop, The Forum of Private Business, Ruskin Chambers, Drury Lane, Knutsford, Cheshire.



"Sometimes, let's think about housing with a bold concept"

To be held in Tokyo (Harami), Japan April 20-25, 1993

The largest housing industry show in Asia, the Good Living Show, will open on April 20, 1993 in Harami, Tokyo. In an exhibition where all varieties of housing related products are brought together from around the world, the Good Living Show serves effectively as a place for talking business and gathering information. As such, it is gathering attention world wide. Halting it's 15th presentation, The Good Living Show eagerly awaits your visit with a composition more comprehensive than before.

Products to be displayed: Indoor and outdoor housing materials, windows, doors, furniture, home fixtures, housing and housing information, etc.

Principal visitors: Engineering firms, remodeling companies, design and planning agencies, interior designers, sales agents, and general customers.

Display space order period:

November 24-December 24, 1992

For inquiries and applications please contact:

Tokyo International Trade Fair Commission

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245	45	Handprint	22	22	22	22
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247	47	More Overland	22	22	22	22
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184	3	Flacker, Jack	10	10	10
185	3	Flacker, Jack	10	10	10
186	3	Flacker, Jack	10	10	10
187	3	Flacker, Jack	10	10	10
188	3	Flacker, Jack	10	10	10
189	3	Flacker, Jack	10	10	10
190	3	Flacker, Jack	10	10	10
191	3	Flacker, Jack	10	10	10
192	3	Flacker, Jack	10	10	10
193	3	Flacker, Jack	10	10	10
194	3	Flacker, Jack	10	10	10
195	3	Flacker, Jack	10	10	10
196	3	Flacker, Jack	10	10	10
197	3	Flacker, Jack	10	10	10
198	3	Flacker, Jack	10	10	10
199	3	Flacker, Jack	10	10	10
200	3	Flacker, Jack	10	10	10

5.0	5.2	35.1
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1.5	4.2	

[illegible]

101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554
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[illegible]

125	44	Burford	44	...	0.9	2.8	23.3
128	88	Exp & Supply	40	...	1.0	1.5	...
370	75	Cashier Prop	135	...	2.4	2.4	61.5
433	105	Chenierelle	180	...	18.5	13.7	21.3
88	9	Chey Ste Egg	14	...	1.4	...	...
40	8	Clarke Nicholas	8	...	0.3	...	1.8
32	8	Clayton	11	...	...	...	...
880	285	Dactari	820	...	23.0	4.1	12.8
4		Dancer Express	1	...	...	...	...
76	30	Debenham Twin	41	...	2.9	8.1	15.6

494	343	Land Sec	309	...	31.7	7.3	12.3
82	62	Land Marsh Sec	73	...	3.8	0.9	11.6
34	14	Land Marsh Sec	24	...	...	...	...
41	1	Land Marsh Sec	1	...	...	...	...

69	42	Flodiam	75	...	2.4	4.3	29.7
428	205	Lathen	336	...	12.8	4.9	8.8
111	76	Flint Gurner	28	...	1.8	3.8	22.4

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<b>WATER</b>
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298	Severn Trent	417	- 3	19.3	6.2	6.2
304	Solihull Water	426	+ 1	19.5	6.1	7.1
670	Stix Staffs	1700	...	40.2	4.9	9.2

193	336	Yorksire W	477	- 2	19.5	5.5	8.1
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**ROCK page 28**  
Shaun Ryder of The Happy Mondays: David Sinclair is less than happy with their concert

# ARTS

**THEATRE page 29**  
Stephen Sondheim: will his new show Assassins make a killing during its limited London run?



**STREET LIFE: Nuisance or entertainment? Andy Lavender finds buskers as numerous as ever on London's streets**

## Strolling through town with the players

Nearly two centuries ago, William Wordsworth stood on Westminster Bridge as day broke over London, took a deep breath, and penned one of the most famous openings in English poetry. "Earth has not anything to show more fair: Dull would he be of soul who could pass by A sight so touching in its majesty".

What would Wordsworth make of London now? Would he eat his words, choking in the car fumes as he did so? It has never been more fashionable to knock London — knock its transport system, its crawling traffic, its grime, the shaming debris of its "cardboard army". Londoners look with envy at the zest of Barcelona, the architectural renewal of Paris, the superbly conserved city centre of Prague — and then they wonder what happened to the majesty that touched Wordsworth.

Yet to know London is to love it. Imagine that Wordsworth was your guest and you had half an hour to show him what London is really like. Rather than stand on a bridge, the best thing you could do is walk across one. Take Wordsworth from the Romantic sonnet to more contemporary artforms, and reveal the spirit of London by rubbing shoulders with the culture on its streets.

For such an exercise, the best stretch runs from Covent Garden — where the busking is dangerously "organised", but also unmissable — where the biggest crowd for street entertainment invariably congregates — to the National Theatre, via The Strand, Charing Cross station, Villiers Street, Hungerford Bridge and the South Bank. It is a scene of fascinating energy, a gallery of murals, graffiti, splashy newspaper billboards, buskers, beggars and vendors of *The Big Issue*, the magazine sold by the homeless; all bounded by architecture of vividly different styles.

The street is its own theatre. Stop to look, and it tells you much about the capital.

A short tour of street art must begin underground. More often than not, buskers provide welcome relief to the drudgery of getting anywhere in London, nowhere more so than in the walkways of the tube system. The exceptions are the tube artists who endlessly drone Si-

mon and Garfunkel songs, a dirge relieved only by the odd Beatles number. "But the standard songs go down well," protests Simon, a pony-tailed guitarist from Cabany, whose singing-voice batters the commuters like the breeze of an approaching train. "The problem of busking is that you've got to influence them in the space of one minute. You've got to touch them emotionally as they're walking down the corridor."

While I was talking to Simon, a London Underground man in a fluorescent orange bib walked past. "No busking," he said, and walked on. This, it turns out, was lenient. The policy is to shift buskers immediately. "It's simply considered undesirable," said an Underground spokesman. "And there's been a trend towards buskers who actually get on the train. Their behaviour can be rather aggressive and threatening. It's a different sort of busker to the music student, and this new breed is certainly not welcomed."

Above ground, however, the Metropolitan Police take a more *laissez-faire* attitude. Moving along Villiers Street towards the Thames, you might catch the older breed of busker offering jazz or classical music. A string trio of Chinese students from the London College of Music have recently taken to performing opposite Benji's Takeaway, under the pastel-coloured walkway of Embankment Place. If it's late they make an odd contrast, playing Mozart: confessions, with the long, rubber-clad, tattoo-bearing queue waiting to get into Heaven, the popular gay nightclub.

**'They make an odd contrast, playing Mozart, with the rubber-clad queue for Heaven'**

Nearly is a mural which perfectly represents the yearnings of city-dwellers for that other heaven, the countryside. It features happy people in a vibrantly pastoral nursery-school environment. A yellow person hugs a tree.

The mural bears the legend, "Show the world you care... please". That lower-case "please"! The artist, Sarah Long, must be English. And even the graffiti in this part of London is reserved in tone. As you ascend the steps which lead up to Hungerford Bridge, a badly sprayed line confronts you: "Wild about nothing".

Hungerford Bridge connects Charing Cross station to London's commuter hinterland southeast of the Thames. A pedestrian path



Figures in a scene of fascinating energy: Charlotte Palmesand (rear) Victoria Isaac, of 'The Fabulous Flauettes', performing for passers-by in Covent Garden

runs alongside the river. Wordsworth's bridge is a view which takes in the new Terry Farrell river-facing Charing Cross facade, gleaming like a luminous spider, and also St Paul's Cathedral, the National Westminster Tower in the City and the concrete cultural houses of the South Bank. Can he still describe the "towers, domes, theatres and temples" as "bright and glittering in the smokeless air"? He may feel more moved to verse by the presence of blanket-wrapped beggars, with whom the bridge seems especially popular.

But you must move him on, for across the river the South Bank makes its own modest contribution to open-air art. Contrast Siegfried Charoux's 'The Cellist' — a bronze player outside the Festival Hall, head tilted in permanent mid-

melody — with the toothpaste struggles of William Lloyd 'Zemman', presented to the Greater London Council in 1972. Ah, the GLC. Those were the days when artworks really were let loose.

Commitment to public monuments is now much less zealous. Indeed it seems significant that the most recent controversy in this field was not over the unveiling of some daring post-modern creation, as with the celebrated addition to the Louvre in Paris, but over the new statue honouring Bomber Harris. The musicians, though, are still in evidence, the South Bank being a busker's haven second only to Covent Garden. Prize pitch is the one beneath Waterloo Bridge, directly outside the bar of the National

Film Theatre, where even the worst buskers have a captive audience drinking coffee, a semi-captive one browsing through the bookstalls behind, and punters off to the theatre, gallery or concert hall. You would think that the latter group, at least, would be keen to invest in live culture, but it is not always the case.

This is a favoured haunt of Jim, recognisable by his straggly beard, floppy white hat and classical violin-playing. Jim lives in Suffolk and travels to London on the coach on Thursdays, sleeps on the floor of an office in return for a small amount of night-work and returns home on Mondays. "I gave up a job to become a busker," he says. "I'm not ashamed of that. It's my profession."

Busking, he laments, induces sloppy habits if you are not careful.

"It's very bad for your rhythm," he points out, "and for the finer points of the game. If you play softly people will assume you can't play. So you've got to play loud, which is very unmusical." This reminded me of a clarinetist I used to see who for some years would stand at the foot of Hungerford Bridge, late in the evening, performing with touching vagaries of timing and tune.

"Ah yes, that was Murray," said Jim. "I remember going to see Mahler's Ninth Symphony at the Festival Hall. Fantastic ending. I came out and there was bloody Murray and his clarinet. I didn't want Murray. I wanted Mahler. It was like having a four-course meal and then somebody offers you a cream bun. So he's no kind of psychologist."

The psychology of busking, of course, has a bearing on the amount of money you can earn. Buskers expect between £5 and £10 an hour. "You can earn more after closing time," said Simon. "You can play songs like 'Show Me the Way to Go Home'."

What would Wordsworth make of it all? Perhaps he would agree that the metropolis was more adequately described by his contemporary William Blake, who found in London "marks of weakness, marks of woe". But the face of this often callous city is somehow kept human by its street-level artists, whether they are good, bad or indescribably awful.

The poet would surely find something still to admire. After all, dull would he be of soul who could pass by.

## Jarre turns his spotlight on the dark continent

NOW that the boycotts are ended, southern Africa is catching up with the latest in computerised entertainment. Jean Michel Jarre, the French composer whose music and light spectacles have lit up outdoor venues from China to London's Docklands, has been booked to play at Sun City, the "Las Vegas of Bophuthatswana".

Jarre will create a new show, using African musicians, in Sun City from December 1 to 3. It will launch The Lost City, described by its creator, the British-based impresario Sol Kerzner, as "the world's first African fantasy resort".

The £120 million theme park, designed to reinforce Sun City's position as Africa's prime tourist destination, will include an entertainment centre "carved out of the living rock", the first man-made tropical rain forest — over a million trees and plants — and the world's highest waterfalls. Jarre is importing 33 tons of lighting and sound equipment for his show, and Kerzner is flying in a formidable array of showbiz celebrities to watch. The Miss World contest and a big golf tournament are also scheduled for the opening weeks at the new resort.

● ANOTHER venerable institution is about to leap into the microchip age. Next summer a remarkable new Music Room will open at the Horniman Museum in south London — home to a vast collection of musical instruments that ranges from 3,000-year-old Egyptian clappers to a 1991 Fender electric guitar. In the new gallery, "interactive" computer displays will allow visitors to explore an instrument's evolution through many different stages, while sampling its sound through headphones.

The new, high-tech approach will cost £350,000, of which £150,000 has been met by a grant from the Museums and Galleries Improvement Fund. To open the

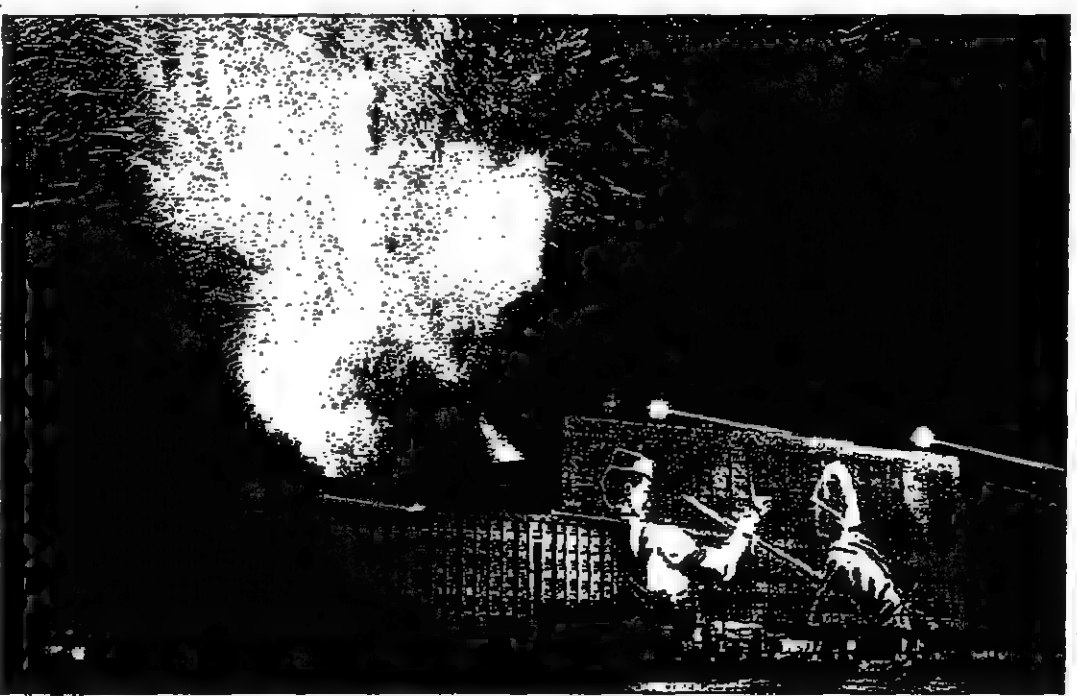
### ARTS BRIEFING

new gallery, a piece of music for 13 wind instruments has been commissioned from the composer Elanor Alberg.

**Private view**  
ONE of the world's most private art collections — and one of the greatest — is going on show in Paris. The Musée d'Orsay has just negotiated the loan of 70 paintings from the Barnes Foundation at Merion, near Philadelphia, probably to be exhibited in 1994. Dr Albert Barnes, who died in 1951, made a fortune from his discovery of the antiseptic, argyrol. He became a collector of French paintings of the late 19th and 20th centuries, which he installed in a neo-classical museum that he built at Merion in 1924.

They include 180 Renoirs, 69 Cézannes, 60 Matisse and paintings by Picasso, Van Gogh and Modigliani — most of them masterpieces. But Barnes allowed no visitors to the foundation, no photographs to be taken, and none of the paintings to be removed. New legislation in America in 1961 obliged the foundation to let in a trickle of visitors: 100 a day, three days a week. Now a further revision of the legacy has been approved because, it would seem, there are financial difficulties facing the Foundation.

● BENEDICT MASON, the composer who enlivened London's musical life last year by writing orchestral work inspired by (and indeed quoting) the call-signals of all of Britain's lighthouses, has advanced still further down the paths of musical eccentricity. Tonight's premiere at the Queen's



Spectacular: Sun City can look forward to a Jarre extravaganza like this in London's Docklands

Elizabeth Hall in London is of a piece which Mason has pitifully entitled "I", and its grand finale will introduce to the British concert platform an instrument called the schwirrbogen, or "buzzing bow". To which information, most music-lovers will surely respond with a blank "??".

A spokeswoman for the London Sinfonietta, which will play the work, elucidates: the schwirrbogen is an instrument of Meknesian origin, and looks "rather like a broken football rattle with a cross-bow made of a springy material attached at one end. It walls like a banshee when swung round and round, using a movement more appropriate to an over-arm bowler than a violinist". Now, why did Mozart never think of using one?

**Apocalypse again?**  
ORSON WELLES produced a radio adaptation of it, and planned a film too — only to think up Citizen Kane instead. Francis Ford Coppola and his scriptwriter John Milus surprisingly transposed


the same story from Africa to Cambodia: the result was *Apocalypse Now*. Finally, we are promised the real McCoy. Joseph Conrad's *Heart of Darkness* will go before the cameras next year in Kenya and Zaire. Mickey Rourke will grapple with the role of Kurtz. The director will be Robert Dornheim, an off-beat Austrian talent.

● THE Society for Dance Research is hoping to win a few converts to the cause of the 19th-century choreographer August Bournonville with a day-long event celebrating the work of the great Dane. Frank Anderson, artistic director of the Royal Danish Ballet, and leading dancers from his company will give a lecture demonstration of Bournonville's classwork and ballets at the Bloomsbury Theatre (071-387 9629) on October 31.

**An odd couple**  
NEXT year's most incongruous liaison of thespian talents? Surely

there will be no other contender when Steven Berkoff, the angry old skinhead of British theatre, makes his shamefully belated film directing debut. His script has the working title *Dependence* — and his star is Joan Collins.

**Last chance...**  
THE Frank McGuinness play *Someone Who'll Watch Over Me* has triumphantly, if rather unexpectedly, acquired a status as a modern classic. Who would have thought that a play in which nothing much happens to three men, haggard in a Beirut cellar, could have successfully transferred from Hampstead Theatre to the West End and now be moving to Broadway? But there is no doubting the strength and humour of the writing or the quality of the acting, especially when Stephen Rea's bally Irish journalist and Alec McCowen's priggish English university teacher are warily overcoming centuries of mutual hostility. The play is at the Vaudeville (071-836 9987) to Saturday.



1,329 people will experience their first

# KISS

tonight

BRITISH PREMIERE TONIGHT AT 7.00PM

SHAFTESBURY THEATRE







MUSIC: Jeremy Sams on Stephen Sondheim's latest show, *Assassins*, of which he is musical director; plus jazz and Bergonzi's farewell

# America gets his best shot

Assassins flopped in New York during the Gulf war. Will its ironic view of the skeletons in America's cupboard find favour in London?

As his next-door neighbour Katharine Hepburn put it, on seeing Sondheim's *Assassins* off-Broadway: "Well, you are a sombre fellow, Mr Sondheim." She had suggestions, of course, for improving the show. A perfect family (Mormon, Pop and one of each) on stage might redress the balance, then a ballerina in white might fly in, to symbolise the purity to which all America aspires. This left the composer completely, and uncharacteristically, speechless. She had, to put it mildly, missed the point.

Some Americans are not above missing the point — and many of them go to musicals. Indeed it is one of the many contradictions of Stephen Sondheim that the Broadway musical, the chosen genre of a man of huge and complex intelligence, with a taste for irony and paradox and a passion for exploration and re-invention, is a form in which sentiment, reassurance and recidivism are the principal desiderata.

And increasingly so. Those who can afford to splash out require a warm bath of familiar feelings, familiar, that is, not from lived experience, of course, but from other musicals. As a result, we become hooked on a series of euphoric emotions which may be called love, happiness and regret and so forth, but which bear as much relation to real life as "Pure Orange Juice" does to pure orange juice.

But here's the irony. Sondheim is a child of Broadway; geographically, educationally, and via his mentor, Oscar Hammerstein, quasi-parentally. He may be a maverick but he is a mainstream maverick.

Sondheim's stomping ground, the area in which his music and words can flourish and flow, is one in which things are not quite OK. In which love is not always reciprocated, in which friendship falters, in which pleasure is endangered, and even intensified by pain. It is what you might call emotional realism. And there are thousands, possibly millions of us who cannot get enough of it. But *Hello, Dolly!* it ain't.

All the same, you could do yourself a few favours. Such as not opening a show which challenges national iden-



Deadly quartet: (left to right) David Firth, Henry Goodman, Jack Ellis and Louise Gold, who all appear in *Assassins*

tity just as the nation in question is about to go to war. When I saw *Assassins* early last year there was audible shock as the pageant of the dispossessed unfolded, the characters ranging from the almost legendary John Wilkes Booth to the very much alive John Hinckley and "Squeaky" Fromme, culminating in "the big one", in Dallas, Texas.

There was a splinter of ill-suppressed rage and incredulity as the Texas Book Depository swung into view. With battle-lines being drawn in the Gulf, the little, jealously-guarded history which America owns might have been more martially marshalled. Certainly it was more the time for a visit to the Hall of Fame than for a rattle through the skeletons in the closet.

Which is a shame, because *Assassins* is far from being un- or anti-American. It is merely a question of viewpoint. The piece takes the Stars and Stripes, turns it round and picks at the seamy side for an hour and a half. And by taking the back bear-

ings, as it were, it tells us much about the American Dream and the land where any kid can grow up to kill the president.

The profiles of the nine would-be killers around whom the show revolves have, in rehearsal, produced fascinating insights. Parents, principally. Many loaded, others lacked fathers, rendering unmistakable the Freudian significance of their behaviour.

Even more fascinating, there is a real need to belong. Many of these people are thwarted conformists, desperately searching for a family (even the Manson family), a political allegiance, or in the case of the immigrants Zangara and Colquhoun, a nation. They were none of them proved insane. The Assassin is the man in the street — albeit, the one with the gun.

'Sondheim is a maverick, but a maverick of the mainstream'

This is reflected in Sondheim's music. One of the many shocks of the piece is how immediate and generous the tunes are. Sondheim's music has often had an ironic gloss to it, par-

naded simultaneously. But there is nothing in the music which patronises the protagonists or comments on their obsessions. No dissonance, therefore, until the march called "Another National Anthem" which takes apart Sousa and says, "So, USA, is this what you stand for?"

How will *Assassins* fare in Britain? My (not entirely unbiased) guess is rather better than in the United States. The piece is shot through with irony, the ultimate un-American activity. And it seems that Americans are as ignorant of the names of all the assassins (apart from the obvious) as we are, and a good deal more embarrassed about it.

The final irony is that this show (which, aptly enough, has ended up in a warehouse) represents the best hope for immortality for a bunch of forgotten mavericks. Perhaps they will be remembered, after all.

Assassins previews at the newly refurbished Donmar Warehouse at Thomas Neal's, London WC2 (071-867 1150) from Thursday, opening October 29.

## MUSIC: RECITAL

## A note of regret at the final flourish

Carlo Bergonzi  
Covent Garden

AT THE age of 68, Carlo Bergonzi has decided to hang up his white tie and tails. The great Verdi tenor, perhaps the last in an Italian line running through Pavarotti and Lauro Volpi, could have gone on another year or two had he wished.

The tone is as good as ever and the breath control extraordinary — there is scarcely ever a sound of oxygen being sucked into the Bergonzi lungs. Nobody else ends a song or an aria with quite the Bergonzi flourish: one of Bellini's lesser pieces was transformed by the way he handled the last two notes on Friday night. But this, he said, was his musical farewell to London and the Garden.

Bergonzi's favourite, Verdi, was represented by a trio of songs, including a jovial *brindisi* composed before he had written a single opera, and just two arias. Carlo's Romance from *Masnadieri* was a reminder that on record at least Bergonzi has covered virtually the whole waterfront of Verdi tenor roles. His vocal attack and his readiness to give the recitative just as much care and prominence as the aria made this a resplendent end to the first half of the programme. Rodolfo's more familiar "Quando le sere" from *La Traviata* closed official proceedings, perhaps unwisely. Here at last Bergonzi began to show his age, although it was widely applauded because this was one of the Verdi roles he did sing on stage here.

But the encores found him

right back on form. There was a favourite party piece, Federico's lament from *L'Artista*, and a clutch of Italian popular songs. Gigli territory. And more than a touch of Gigli was in the air. It was there in the stance of the now plump patriarch with one arm resting on the piano (his experienced accompanist was Vincenzo Scaleria) and in the careful handling of words, even if they were not always precisely the ones the composer set. Gigli would have favoured, as Bergonzi did, sentimental Tosti, Schubert in Italian and laughing Rossini ("La danza").

That last item showed Bergonzi's sense of humour, rarely revealed on stage here. So did "Che bella cosa", among the encores, with its wicked imitation of Another Italian Tenor. Alas, he sang but one comic role at the Opera House, Nemorino in *Elisir*. Jeremy Isaacs presented him with the theatre's medal for services to opera, but, in fact, after his debut with a scratch Italian company at the Stoll Theatre in 1953 Bergonzi did not appear here all that often. His farewell brought the warmest of standing ovations, but the occasion was flavoured with deep regret that Covent Garden was never really a Bergonzi house.

JOHN HIGGINS

## JAZZ: CONCERT REVIEW

## Saved by the belle

A Night at the  
Cotton Club  
QEH

THE idea of this touring show is that you are supposed to imagine that you are in the exotic never-never land of Harlem in the Twenties. That is not quite so easy when you are in the South Bank complex on a windswept night. It takes a lot of wishful thinking to pretend that the carriages rumbling across Hungerford Bridge belong to Duke Ellington's "A Train".

And the Queen Elizabeth Hall, that dreary concrete shed, is definitely no nightclub. Some form of stage set might have helped to foster the illusion, but there was not so much as a potted plant on display. The quartet of backing musicians were left marooned behind an incongruous, Habitat-style chaise-longue which might well have been dragged in from the foyer.

The programme contained a two-page biography of O'Jays Madden, the gangster who ran the original Cotton Club. That was as far as the period detail went, unless you include the two dancers who had the thankless job of filling in between sets. After a bout of painfully extended soft-shoe shuffling, we were left waiting for Eartha Kitt to make her belated entry.

The reason for the delay, she explained, was that her car had taken longer than expected to bring her to the venue. In the circumstances she could have been forgiven for turning back and returning to the comfort of her hotel. Nevertheless she delivered a set which enabled us — temporarily at least — to forget the grim surroundings.

She really does look astonishingly glamorous for a

woman of 64. The figure is pencil-thin, the movements still languorous and provocative. Her voice did not fare so well at first, especially when she tried to project to the back of the auditorium. Things flowed more smoothly once she settled into her more intimate, purring delivery, flirting with the bashful husbands in the front row. "Don't worry about it," she reassured them at one point. "I'm a grandmother."

She even took the risk of lying on the bare stage at one point, but appeared to escape without splinters. "I Can't Give You Anything But Love" and "My Heart Belongs to Daddy" were wrapped in sultry pouts and flicks of the hips. Towards the end, as she belted out the Turkish lyrics from one of her early hits, she slowly bent over backwards like a seductress from a Harlem. At the first attempt her back seemed to lock — none of us is getting any younger, after all — but she succeeded in the end. The temptress lives on.

Before the interval the latest edition of the Ink Spots ran through a portion of their greatest hits. The vocal group recently suffered the loss of Jim Nabbie, a member for more than 45 years. Under-terred, the current line-up reproduced the sedate four-part harmonies with skill and just enough spontaneity to satisfy their long-term fans.

CLIVE DAVIS

## JAZZ: INTERVIEW

## As well as your footwarmers, don't forget your footnotes

There are two John Chiltons. The first, the one most of us have heard or seen at some time or other, is the trumpet player who travels the world with his band, the Footwarmers, and its irrepressible front man George Melly. His other, less well-known persona is that of the respected jazz historian and author.

In his alternative career he has published an invaluable reference book, *Who's Who of Jazz: Storyville to Swing Street*, as well as biographies of such figures as Louis Armstrong, Sidney Bechet, Billie Holiday and Coleman Hawkins. In his latest book, *Let the Good Times Roll* (Quartet, £20), he turns his attention to Louis Jordan, the saxophonist and bandleader whose jumping five songs and risqué lyrics are still pulling in crowds to the West End revue *Five Guys Named Moe*.

The result is a low-key but informative survey of Jordan's apprenticeship in Arkansas, his years at the top of the music charts in the Forties and the final decades of relative obscurity. Chilton's analysis focuses largely on the nuts and bolts of Jordan's professional life. The

Clive Davis meets  
John Chilton, well  
established as both  
bandleader and  
jazz musicologist

nearest he comes to muckraking is the disclosure that Jordan, always the most athletic of stage performers, wore a cumbersome truss to remedy a life-long hernia.

Chilton's choice of subject caused bemusement amongst some of his acquaintances. After all, we tend to think of Jordan as a showman and purveyor of high jinks rather than a bona fide jazz musician. Chilton believes otherwise, pointing out that Jordan was a thoughtful craftsman whose early influences included the inventive small band swing of the sextet led by the bass player John Kirby.

"Jazz musicians are a pretty prejudiced lot, and a lot of them shut their ears to Jordan," says Chilton. "I've always liked Jordan as an improviser, as well as a singer and personality. He may have

worn loud suits, but just listen, let the music hit you. He created a remarkable amalgam of jazz and blues, and achieved it so smoothly that people who wouldn't have been interested in either were won over."

Not surprisingly, given his partnership with Good Time George, Chilton has strong opinions on the need to treat jazz as a form of entertainment. The requirements of showbusiness did not, he argues, constrict Armstrong or Ellington; they simply learned to showcase their skills.

Not everyone would agree that the process was quite so straightforward — or beneficial — but Chilton surely has a point when he complains that most jazz musicians neglect presentation. "This is where jazz has had a march stolen on it by so many other forms of music," he says. "Yet musicians sit down and howl. How can they do this to us? It was the same with the early days of amplification. We used to go out and play concerts and no one dreamed of checking the sound to see if people could hear."

Chilton and Melly began their association 20 years ago when the singer casually "sat in" with the band at a pub in London. More dates followed, and Chilton settled down to what he expected would be "six months of fun". The group still plays a popular, month-long stint at Ronnie Scott's every Christmas, and the musicians usually take a



John Chilton: "White jazz lovers have always had a penchant for lurid details"

holiday at the start of the trout season, when Melly goes off to indulge his passion for angling.

The steady routine with the Footwarmers helps to subsidise Chilton's work as an historian. When the band is playing a concert in the United States or at one of the numerous international jazz festivals, there is invariably an opportunity for an in-depth interview with veterans who are killing time back-stage.

His first major project was the *Who's Who*, first published in 1966, and updated in various editions since then. Sorting out facts from myth is never easy in jazz. Even establishing the correct date of birth for a player is not always simple. Chilton explains that some veterans have actually given him several different dates over the years. At the

beginning they might pretend, out of vanity, to be younger than they really are. Later, when they want to be numbered amongst the dwindling band of Grand Old Men, their date of birth may suddenly slip back.

One of Chilton's proudest possessions is a copy of Bessie Smith's death certificate. There has long been a legend that the blues singer, who was severely injured in a road accident in Mississippi, died after her ambulance was turned away from a whites-only hospital. (Edward Albee wrote a play inspired by this story). Chilton and other researchers have since shown that Smith was picked up by a black ambulance driver, who took her to a black hospital.

"The story about the white hospital was quickly corrected by newspapers at the time," says Chilton, "but by then the ball had started rolling. White jazz lovers have always had a penchant for what you might call lurid details."

"Another example I came across was the trombonist Charlie 'Long Boy' Green, who was said to have died of starvation on a Harlem doorstep. But when I spoke to fellows who knew him they said it wasn't like that. They told me he was obsessive about his wife's fidelity, and he would phone all the time when he was away on tour. If she didn't answer he would leave the band, wherever they were and go back to find her."

"It got to the point where

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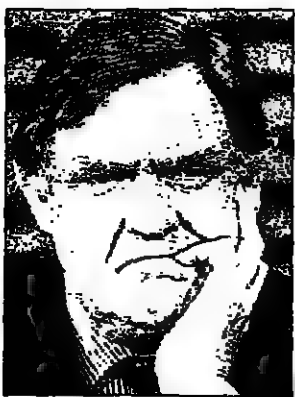
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# No sugaring of the pills



**Bernard Ingham (left) rebuffs Nigel Lawson's charge that he distorted his daily press summaries to Mrs Thatcher**

Published extracts of Lord Lawson of Blaby's political memoirs show that he thinks he did little wrong and others little right. His abuse of me as a "sometimes thuglike, xenophobic Yorkshireman and inordinately proud of it", is fairly mild as failed cabinet ministers go. It is also common form for them to suggest that I reinforced Margaret Thatcher's worst characteristics and was partly responsible for her downfall. But I am amazed — indeed, fair capped, as Yorkshiremen say — to discover that Nigel Lawson, as he then was, went through the Treasury believing that I had an obsession with (in fact, a hotline to) *The Sun*. He even claims that I distorted my daily summary of the newspapers to persuade Mrs Thatcher that everything was all right with the world because Kelvin MacKenzie, the editor of *The Sun*, said so. Let us enter the real world. One of the tasks of the press secretary, apart from being the prime minister's spokesman, presentational adviser and coordinator of the government's communications orchestra, is to try to make sure his principal keeps in touch with events and opinion. Some prime ministers follow the press, radio and television more closely than others. Mrs Thatcher was among the most cavalier and cursory, not to say neglectful. Consequently, I developed for her a summary of all 11 national daily newspapers, prepared between 7am and 9am and supplemented, according to events, with information about the BBC Radio

4's *Today* programme and breakfast television. My aim was to give the prime minister a balanced account of reportage and opinion and to alert her to anything which seemed likely to arise during Prime Minister's Questions in the Commons which I thought she ought to know. I did not always succeed. Jeffrey Archer once complained because she seemed unaware of the existence of some pop group and might appear out of touch. With less than two hours in which to read the papers, summarise them and have the digest typed and copies run off, I raced through the easier-to-read tabloids first. In any case, no press secretary doing his job can afford to ignore papers read by 36 million people.

My digest was also presented to the prime minister in the company of about eight advisers, most of whom had read a broadsheet and brought their own insights to briefing her. They tended to amplify my summary of, for example, *The Times* and the *Financial Times*.

Moreover, the digest was not a private, secret document. It came to be more widely available in Downing Street, including Nos 11 and 12 and in the Cabinet Office. Other cabinet ministers knew what was in it.

Inevitably, the press secretary has to exercise judgment in how he compresses an ocean into an egg-cup. I was always conscious of the need to reconcile my further role of trying to support the prime



Thatcher and Lawson: was she given an inaccurate picture of press opinion, as he alleges?

minister's morale with her need to know the bad as well as the good news. I know that sometimes I succeeded. Mrs Thatcher was known to exclaim occasionally, rather accusingly, I thought: "But, Bernard, this is awful."

It may be that the presentation of the press treatment of stories and opinion, sardonic with the "pops" encouraged Mr Lawson to believe that I had a lovely relationship with *The Sun*, though the *Daily Star's* offering usually led the list. The digest's discussion most certainly helped to clarify my briefing line.

But that line was offered to all and sundry — tabloids and broadsheets — in formal lobby briefings. It was up to them whether it appealed. It was not my practice to try to stuff it down editors' throats in private calls to them.

I gave editors the credit for having a mind of their own. Mr MacKenzie has a mind of his own — as John Major has latterly discovered.

## THE NEWS, WARTS AND ALL

To: The Prime Minister  
Subject: Press digest, Sunday October 18, 1992  
SUMMARY

Only Woodrow Wyatt, in the *News of the World*, has a good word to say for the government and yourself. The *Sunday Telegraph* and the *Observer* foreshadow a U-turn on pit closures because of a Tory backbench rebellion. Both the *Independent on Sunday* and the *Sunday Times* come up with surveys showing up to 44 Tory MPs are opposed to the pit closures. The *Sunday Times* claims surveys show another 200,000 jobs will go by Christmas. The *Mail on Sunday* says ministers are joining calls for Michael Heseltine's sacking. Meanwhile, editorials are uniformly hostile and say your position is critical. There is much first world war imagery — "lions lead by donkeys". The *Observer* speaks of "callous and incompetent leaders" and the *Independent on Sunday* says your time is up.

Signed: Bernard Ingham

The digest: Ingham's initial summary of Sunday's press

# Let's put the British back into the BBC

Our oldest broadcaster stands accused of mistaking London for Britain, and neglecting the nation's history

As the going got tough in the Falklands War, and BBC journalists reported what were by now sometimes unpalatable facts, the editorial and letters columns of the more conservative newspapers thundered with indignation. What did the corporation think it was doing? "Our boys" were at war; all right-thinking people should support them unquestioningly, including BBC journalists.

"After all", the argument went, "it is the British Broadcasting Corporation."

I, as the editor of *Nationwide*, was on the end of some of this, and did not appreciate the line of argument. I still don't. Nonetheless, I've been increasingly perplexed about what "British" means in the context of the BBC, and increasingly convinced it should mean something substantial in the future if the corporation's charter is to be renewed and the licence fee raised.

Today, the Royal Television Society will debate the purpose of the BBC, and soon the government will present a green paper on the BBC's future. A month or so later (and in my view at least a year later), we will have the BBC's detailed thoughts.

Cynics believe that a Faustian bargain has already been struck between government and corporation. Reduce your size, don't lobby, let the government speak first, and you'll get the charter. But a charter to do what?

"It's your BBC," the corporation claims. So if it belongs to us and not to Whitehall, what do we want it to do? Increasingly my answer is that I want it to be independent — and British.

I should be careful to explain, though, what I do not mean by this. I do not mean by this that I do not want the BBC to reduce its foreign reporting or its exploration of international culture. I do wish it to reallocate its finances so that it can make programmes about the British for the British and I want to see it continue to fight to reverse the

almost intractable metropolitanism that so remorselessly overwhelms it.

First, the regions. It seems to me inescapable that Channel 4 and the vast majority of "independents" working for them will always remain locked in London's West End. I also think it inevitable that the number of ITV regions will diminish and that the new central scheduling system will encourage this. That system will also be based in London. So from January 1 all network scheduling decisions will be taken within a few miles of Charing Cross. The satellites will have nothing to offer of a

London. I would move it back immediately. The premier social affairs programme ought to be closer to the lives of the majority of people.

In the regions themselves the quality of BBC news reporting and analysis has improved considerably, but at a cost. Where are the programmes about regional culture, arts and rural life? Where are the gentle documentaries which, ten years later, tell you so much more about real life than most perishable news programmes?

Secondly, and just as importantly, is our past. The BBC must help to ensure our ability to pass on our history to successive generations. Most major historical documentary series are international in subject matter and demand international funding. Such co-productions are important and valuable, but are not sufficient.

Where are the series on our regional histories, on the growth of early Christianity which founded much of our distinctive nature and our destructive divisions? Where are the histories of our immigrant communities? All are missing, presumed dead. Even Robert Kee's history of Ireland was made well over a decade ago.

*Timewatch*, the history series, has a new editor and some more money, but hardly sufficient to operate without overseas funding. That inevitably restricts his ability to cover his own country.

Will we never again see an archive series such as *All Our Working Lives*, where Peter Pagnum brilliantly conveyed the industrial experience of ordinary British people? It may not have been a great overseas revenue earner, but it was of much more lasting value than much of that which has come after.

ROGER BOLTON

© The author worked for the BBC from 1967 to 1986 and is the outgoing compiler of *Actual programmes at Times TV*.

If these islands are to speak to each other then it will have to be largely through the BBC

distinctly regional nature. Channel 5, if it is allowed to broadcast, will enable London to speak for London, but not the rest of the country to speak to the capital.

The market, therefore, will not deliver Britain to its audience. If the different parts of these islands are to speak to each other then in television and radio it will have to be largely through the BBC.

It is capable of fulfilling this task. The BBC will say it is already doing so, although some Radio 4 listeners might disagree. It has certainly announced plans to move some departments out of London to assist in creating "centres of excellence" in the regions. It has no plans, however, to produce any of its national television current affairs programmes out of London. *Brass Tacks* was ripped out of Manchester and away from *File on Four*, its radio partner, to become *Public Eye* in

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# MANAGEMENT

## Town halls trek east

**Louise Hidalgo**  
discovers how  
local councils are  
advising the new  
democracies

Imaginative councils have shown nifty footwork in assuming a new international role, particularly in responding to events in central and Eastern Europe. This month, in the latest local government initiative to aid the new democracies, a mission led by the Association of Metropolitan Authorities visited Budapest.

Rolney Brooke, the association's secretary, reports: "Local authorities have been ingenious. There has been a wide range of involvement at a time when there is still uncertainty about whether local government powers extend beyond setting up twinning links to, for example, sending experts to advise on contaminated lake. Some have pressed ahead regardless."

Central government acknowledged central and Eastern Europe need for advice by starting the Know-How Fund in 1989. This year £50 million have been allocated to helping these countries to move to a free market economy and fair democratic systems. Of that money £700,000 was set aside for technical projects by councils.

Cooperation is certainly varied. Islington, a contender for this year's £100,000 Know-How allocation to Hungary, wants to help a Budapest district to develop better security at its football ground. The team's fans are renowned for rowdiness and violence. Islington believes it can offer good advice from its experience of Arsenal.

Clearly, in Lancashire, one of three authorities to win technical money last year, is giving advice on setting up starter units for businesses. The council's environmental experts are also looking at ways of monitoring air quality and decontaminating a Hungarian lake.

The opportunity to train management and technical staff as much as recognition of an increasing international role has persuaded councils to look east, believes



Eastern capital, Western look: Budapest is drawing public and private investment from the West

James Beadle, the Local Government International Bureau's central and Eastern Europe officer.

Council chiefs see the work as a way of widening their experience, paying for research they could not otherwise afford, and helping the Hungarians. "The level of on-the-job training far outweighs that of a similar project in the more familiar environment of the UK," he says.

This year six local authorities have applied, or are applying, for funding for projects in Hungary. Some fall into the environment department's technical scheme. Another four councils are backed by European money through Phare, its programme for regenerating the region economically, technically and environmentally.

Kent is trying to promote economic development through political and business relationships, but is also driven by the desire to help Eastern Europe's emerging democracies. Stephen Barber, Kent's European officer, says. He explains: "We see it as a long-term investment — opening up a new market for Kent businesses and helping them establish links with

it." The county council has joined International Business in the Community, started by the Prince of Wales when he visited Hungary two years ago, in helping to set up a local enterprise agency and business starter units in Bacs-Kiskun, known appropriately as the Garden of Hungary.

Lancashire has been a pioneer in developing economic links with Hungary. Through Lancashire Enterprises, the enterprise board set up as a company with a 50 per cent local authority stake, the county has established commercial as well as philanthropic links during the past year with Szabolcs county, one of Hungary's most deprived areas.

The relationship is about to be formalised with the establishment of a joint venture between Lancashire Enterprises and Szabolcs' own enterprise agency, Primom. They have set up a starter unit for small businesses in a former Red Army barracks and a commercial database for entrepreneurs wanting to trade in Romania, Ukraine and Slovakia. Now they are seeking

private investment for the county's first four-star hotel complex.

Although the Hungarians are keen to tap into Western expertise, they are not uncritical pupils. Fejer, near Budapest, is one of six counties to have an enterprise agency for small and medium-sized businesses, formed under a joint programme by the Hungarian foundation for enterprise promotion and Phare less than a year ago. One of the results has been a link with the Welsh Development Agency, which has given advice on issues such as inward investment and job creation.

Ferenc Toth, the Fejer agency's chief executive, has high praise for the Welsh agency. He says: "There are many parallels between the two regions — unemployment, an environmental legacy from closed-down industries. The agency has helped us to realise the importance of incentivising new business to come into the region. But we have also got to learn from our mistakes. We have to get public opinion behind us from the outset. And we have to lobby for a central strategy on foreign investment."

## The citizen's charter brings out the cynics

Employees suspect that every new deal is simply further government tinkering, to be followed by job losses

To Tory politicians the citizen's charter is an injection of new ideas into the public sector. To those directly affected, the charter appears, at best, to be another example of government tinkering. An assistant manager in the Benefits Agency said: "Most of us see it as quite a cynical exercise to paper over the cracks in the service."

This cynicism threatens to halt the promised public services revolution in its tracks. Since the charter is about raising the quality of services without extra money, its success is dependent on employees' good will and enthusiasm.

Even before the possibility emerged of a public sector pay freeze, recent events show this enthusiasm a little thin. Publication was swiftly followed by news that £1 billion of public services would be "marketised" this year and, if value-for-money improvements could be made, given to private companies. Jobs were no longer secure.

"I cannot conceive of a more stupid thing than to follow up citizen's charter by launching market-testing in a fanfare of publicity," says John Ellis, the secretary of the Council of Civil Service Unions.

Unions quickly interpreted the charter as a political message. Market-testing became a warning to staff: "With the threat of privatisation if the quality objectives were not achieved," Mr Ellis says.

Unions are not alone in regretting the timing. Agency chief executives, having won new freedoms to manage their employees at arm's length from Whitehall, found their workforce demoralised. "I told Mr Waldegrave that I had been spending the past two years going around the country trying to galvanise the staff and win their commitment. Now he has socked them in the solar

plexus," says Mike Fogden, the chief executive of the Employment Service.

Morale problems aside, few disagree with the charter's principles. It allows enlightened chief executives to win publicity for initiatives already under way, not to mention for future improvements. Employees, however, question its ability to effect a full-scale revolution. One Employment Service employee says: "The principles are good, but service improvements are not going to

be no extra money. "It is all stick and no carrot," says Barry Reamsbottom, the general secretary of the public service union CPSA. "The government seems to think you can improve services significantly without spending any extra money on them."

However, David Durham, the chief executive of Companies House, believes real improvements can be achieved by streamlining procedures or using savings released elsewhere. "Without doubt a lot of quality initiatives do need pump-priming money," he admits.

Faced with these difficulties of squeezing improved services out of a demoralised staff, the management imperative has become to win staff support — during preparation for market-testing.

"Employee communications and consistency of policy direction will be vital in achieving the aims of the charter," says Stephen Curtis, the head of the DVLA. Chief executives will need the managerial freedom to deliver these two prerequisites. Inevitably, the Treasury has retained control of the purse strings. Staff communications have not been helped by the rapid succession of government initiatives, not to mention those introduced by senior managers. "Staff are having difficulty understanding how they fit together and how they rank in terms of importance," Mr Curtis says.

The bosses clearly have their work cut out. Civil servants reacted to a routine customer satisfaction survey on their pension scheme by suspecting it was the prelude to a benefits reduction.

Their cynical response neatly illustrates the change in employee-employer relations that is required if the charter is to fulfil its ideals.



Throw it out: Barry Reamsbottom

happen overnight or without increased resources."

A Benefits Agency employee says: "The charter seems to make assumptions that if everybody in the benefit office is polite, that will solve problems. It ignores the fact that people are in our offices because they are desperate for money. They don't care about corporate dress or name badges."

The government has said there

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# LAW

New legal aid proposals mirror the way in which budget-holding family doctors provide services. John Pitts, the Legal Aid Board chairman, unveils the reforms.

## An aid to a better deal for all

Today the Legal Aid Board publishes proposals for entering into contracts with lawyers who can deliver a service of assured quality. This novel approach, in the legal world, going under the name of franchising, will provide important benefits to the client, the lawyer, the board and the taxpayer.

Clients will gain because they will know that their lawyers have reached and maintained a recognised level of competence. Lawyers will gain because they will attract more business, the administration of cases will become easier and cashflow will be improved.

Both the board and the taxpayer will have the advantage of knowing that better value is being obtained for the very substantial sums of money that are now paid in legal aid.

Franchising also gives lawyers the benefit of preferential payment terms and delegated powers in return for meeting specified quality criteria in different areas of legal work.

It is important to see franchising in the context of the board's strategy for legal aid. It is for politicians to decide what level of access to justice through legal aid is to be achieved and how much taxpayers' money the country can afford to spend on it.

It is the board's job to ensure that the money is spent with maximum effectiveness by encouraging efficiency in those who deliver the service, the lawyers.

After all, if there is a limit to the amount of money that can be made available, then more people will be helped if the cost of individual cases can be reduced. However, if costs are

reduced without some definition of the quality of service that must be provided, we may end up with a service that does not give the public what it is entitled to expect. Then everybody would lose.

In deciding how to set quality criteria, the board looked at two main areas: the way in which solicitors run their offices and the way they conduct individual cases. Lawyers will have to demonstrate that they are actually putting into practice relevant parts of the guidance on good management and client care that the Law Society has issued.

The board will also check that cases have been handled well by looking at samples of completed case files. The board's liaison staff will visit lawyers' offices to help them to achieve and maintain the arrangements and standards that we have specified.

In return for meeting our quality criteria, lawyers will be given more freedom to conduct cases without reference to the board. They will also be given preferential payment terms, cash flow is important to any business.

The legal profession is coming under closer scrutiny than ever and the rising cost of legal aid is but one aspect of this. Complaints to the Solicitors' Complaints Bureau have risen and record claims are being made from the compensation fund.

The research done on behalf of the Royal Commission on Criminal Justice is strongly critical of the quality of service law firms provide to some clients at police stations.

We believe it is in the profession's interests to co-operate in setting quality criteria that can be checked, at

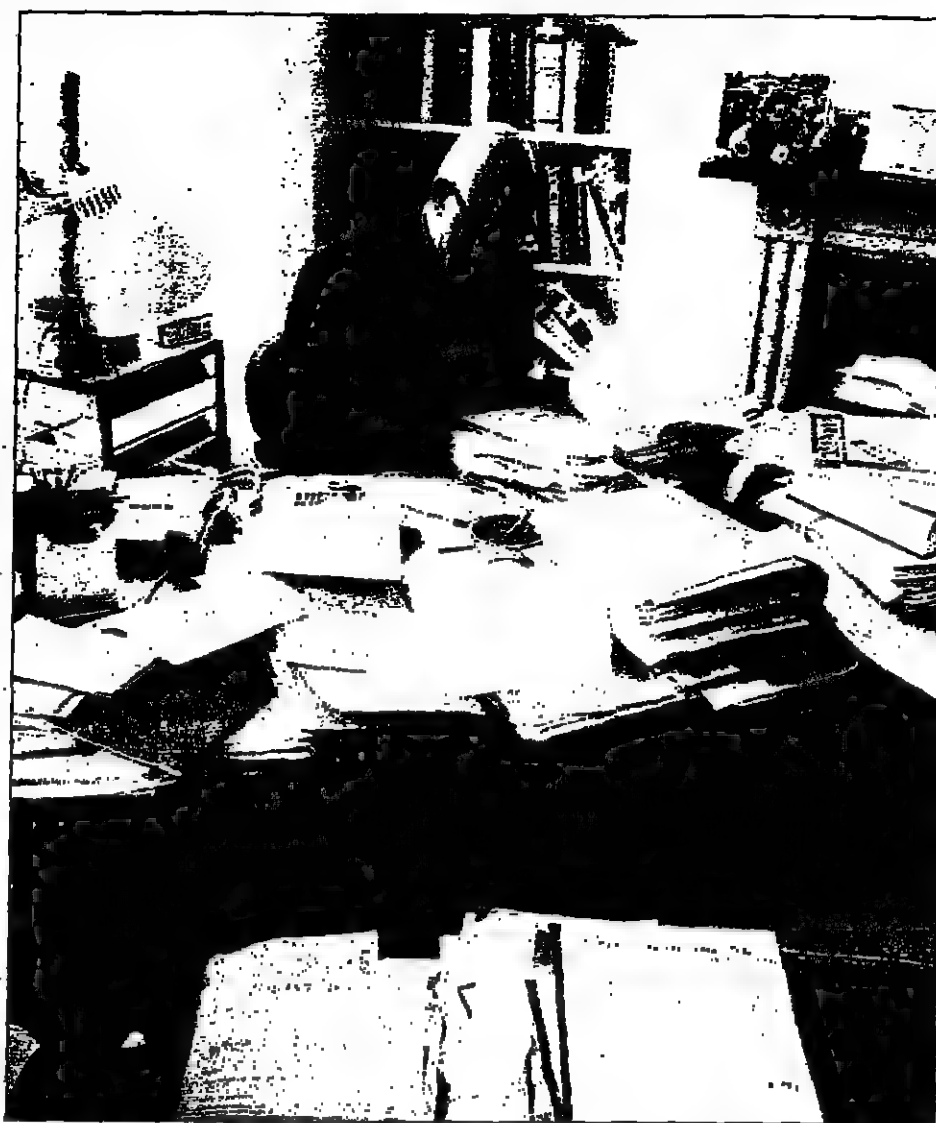
regular intervals and not just when a particular complaint is made.

So far, that co-operation has been willingly given by the Law Society and by individual practitioners.

We want to encourage that involvement and we are setting up arrangements that will involve the profession in both the further development of quality criteria and in the way they are applied by the board.

It is important to us that the better and committed lawyers keep doing legal aid work and have confidence in what we are trying to achieve.

Looking to the future, legal aid work, particularly in urban areas, will inevitably start to



BENEDICT Blumberg at his office in Southwark, south London. One of the 3,000 firms that make up the hard core of legal aid practitioners, his will need a contract with the Legal Aid Board if it wants the benefits of speedier payment and greater freedom to do

work without seeking approval for every case. Will such firms be able to meet the strict quality criteria imposed by the board? Or will the new system favour mass throughput of work to the detriment of those providing a small quality service?

gravitate towards franchised lawyers. We hope that advice agencies, which are often the first port of call for people with problems, will encourage this.

On the other hand, we do not want to see smaller firms or those in rural areas that do little legal aid work being excluded. Special arrangements have been made to allow them into our scheme.

After all, they provide important points of access for the public, which we do not want to lose.

We hope it will be possible in the future to encourage advice agencies that do not have lawyers to be paid under

legal aid. If they can meet our quality standards in the areas in which they specialise, for example in dealing with debt and many housing problems, they would have an important role to play in extending access and, because their overheads are usually less than lawyers', reducing costs.

The board has thought carefully about this initiative over a long period of time. We are convinced that our proposals will lead to a partnership approach with those who deliver legally aided services that will not only benefit them and us but, most importantly, the aided client and the taxpayer.

This is a major change and a major challenge.

## Look again at 'slow burn' killings

After a successful appeal, the law's compassion for those provoked over a long period needs reassessing

THE CASE of Kiranjit Ahluwalia, who was recently released after appealing against a life sentence for murdering her brutal husband, raises important questions about the legal doctrine of provocation. She had been subjected to years of appalling domestic violence. One night in 1989, a terrified Mrs Ahluwalia set fire to her husband's bedroom as he lay asleep. He died of his injuries. She was convicted of murder and sentenced to the mandatory term of life imprisonment. In July, the Court of Appeal ordered a retrial because of fresh evidence relating to her mental health at the time of the incident.

At the end of last month, the prosecution accepted her plea of guilty to manslaughter on the ground of diminished responsibility. Mr Justice Hobhouse released her from custody because justice did not require her to be detained longer than the three years which she had already served in prison.

The general importance of the case is that the Court of Appeal rejected a submission made on behalf of Mrs Ahluwalia that the judge at her original trial had wrongly directed the jury on the circumstances in which provocation could reduce the crime from murder to manslaughter, and so avoid a mandatory term of life imprisonment.

The Lord Chief Justice, Lord Taylor, confirmed that the doctrine of provocation is authoritatively stated in the direction to the jury by Mr Justice Devlin in 1949 *R v Duffy*: "provocation is some act, or series of acts, done by the dead man to the accused which would cause in any reasonable person, and actually causes in the accused, a sudden and temporary loss of self-control, rendering the accused so subject to passion as to make him or her for the moment not master of his mind". The Devlin definition of provocation was also applied by the Court of Appeal in the similar case of *Sarah Thornhill* in 1991. She too had killed her abusive and violent husband and had been convicted of murder.

In a book published this month, *Provocation and Responsibility* (Oxford, £25), Jeremy Horder explains that the concept of provocation has its origins in the medieval idea that there are circumstances in which a righteous person expresses anger by taking action against a culprit so as to rectify an injustice.

By 1833, the doctrine of provocation had become, in the words of Chief Justice Tindal, the law's "compassion to human infirmity". In the middle of the 19th century, reference began to be made to the standards of the

"reasonable man". In recent years, loss of "self-control" has become the governing principle of provocation.

Critics of the law of provocation have complained that it incorporates a male bias. Battered women do not kill calmly and with deliberation. Their rage builds up (the "slow burn"), and they take the opportunity of removing the cause of their distress while he is asleep or drunk. Why, it is asked, is such an act by a person driven to despair by abuse less deserving of legal recognition and compassion than the case of the provoked man who loses his self-control and kills his tormenter?

These criticisms of the legal doctrine of provocation have considerable substance. Sociological and psychiatric studies show that violence caused by loss of self-control is overwhelmingly a male phenomenon. The courts have pondered to male vanity and self-esteem on sexual matters.

A large proportion of provocation cases have concerned men who kill women who have been sexually unfaithful or who have commented unfavourably on the quality of the defendant's sexual performance. The Court of Appeal accepted, as recently as 1985, that "to taunt a man about his lack of sexual inclination or prowess does involve striking at his character and personality at its most vulnerable".

So long as Parliament retains the mandatory sentence of life imprisonment for murder, the arbitrary distinctions drawn by the criminal law of provocation need to be addressed. The difficulty is that the scope of the partial defence of provocation must be confined so as to avoid the law condoning Charles Bronson cinema-style revenge killings.

In *Eve Was Framed: Women and British Justice* (Chatto & Windus, £16.99), compulsory reading for all male lawyers, Helena Kennedy QC makes a strong case for the adoption of an expanded concept of cumulative provocation. This would recognise the build-up of provocative factors that cause the fatal attack without a sudden loss of self-control.

Aristotle pronounced that "it is easy to get angry — anyone can do that. But to feel or act towards the right person to the right extent at the right time for the right reason in the right way is a rare, laudable and fine achievement". The circumstances in which the criminal law recognises a partial excuse for some types of killing carried out in anger require urgent reassessment.

© The author is a practising barrister and a fellow of All Souls College, Oxford.



DAVID PANNICK QC

A mid-life crisis is gripping some law firms. Partnership prospects for ambitious 30-year-olds are contracting, and these talented people are frustrated. As Peter Cotton of the CA Programme consultancy puts it, professional firms can rely less on the prospect of partnerships, to motivate their middle management, because the escalator to partnership is moving more slowly.

But there is no easy solution. While the older, distinguished members of the profession such as Sir Matthew Farrer, the Queen's solicitor, can leave their firms with dignity, that option is not so open to rank and file partners. Sir Matthew is to retire and become a consultant to his erstwhile partners.

In many cases, those aged 50 or over are hanging on grimly because they need the money and can see no second career for themselves

after they leave. Yet this mass of partners, jaded but immobile in mid-life, is preventing movement further down the line.

One shrewd senior lawyer said: "The time to take action was about three years ago when we could afford to make generous payments to lesser partners to persuade them to go. Now they do not want to lose their jobs, and we cannot afford to ease their way out."

Realistic senior and managing partners are starting to recognise, however, that this position is unsustainable, especially if the recession continues to choke growth in mainstream corporate and commercial work. At the same time, many older partners are themselves privately

wishing for a decent way out. As one partner in a leading firm in his early fifties said, "By the time you get to my age, you no longer relish the all-night negotiations and the desperate rush to meet deadlines. You have done it so many times before that it just becomes a chore. On top of that, there is the increased stress of attracting new quality business at a time when there is little around."

Has the time come, then, to rethink retirement ages? Most lawyers in their fifties still have much to

## Young, talented and going nowhere fast

If a firm is to encourage ability, older partners must be encouraged to move on

giving, but not necessarily to their present firms. They need a fresh challenge and their firms need the partnership slots they presently occupy. One solution is offered by the consultancy Future Perfect. Rather than ignore the trend towards mid-career burn-out among professionals and executives, Future Perfect believes it should be recognised and turned to advantage.

John McLean Fox, a former director with the PA Consulting Group who set up Future Perfect, argues that although every organi-

sation has what could be called a third age problem (that is, fulfilment for men over 45) few know what to do about it. Future Perfect's answer is a carefully managed and

supported exit programme that helps to ease an individual into a new career.

The transition, Mr McLean Fox emphasises, needs careful preparation. "If you are used to the back-up of a big organisation, you may feel stranded having to work on your own. But with organisation and guidance, most professionals can do it successfully."

So far, few law firms have taken advantage of this strategy, although it has been popular with organisations such as Schroders, Touche Ross, James Capel and Kleinwort Benson.

One partner in his early fifties from a top ten firm has benefited from the service. He explains: "I



Helping John McLean Fox

am leaving my firm next spring, and my programme of departure started with a residential workshop, paid for by the firm, which I attended with my wife and other professionals in similar positions.

"In discussion with them and with the Future Perfect consultants, we looked at the options available and how I would need to adjust to a new way of life."

This particular partner is now confident he can move into self-employment by building on his contacts and expertise. A final tip is to involve one's spouse. "This is a process that affects two of you and for it to work successfully, both must understand and be involved in the solution," he adds. For this final transition to succeed, supportive partners — at home and in the office — are clearly essential.

EDWARD FENNELL

## The law's longstop

THE sea change at the top of the judiciary and its acceptance of the need for reform of the criminal justice system could not have been made clearer than when the Lord Chief Justice, Lord Taylor, was a guest speaker last week at the start of an appeal for £1.25 million for Justice, the law reform group.

Not only was he there, but he publicly paid tribute to the work of Justice in exposing "disturbing errors and failures" that had resulted in miscarriages of justice.

No system was infallible and "extra fiddlers acting as longstops to prevent injustice", such as Justice or television programmes such as BBC2's *Rough Justice*, were a "salutary safeguard".

So long as investigations were presented fairly and responsibly, they provided a "valuable extra limb to the criminal justice system".

The appeal, launched by Lord Alexander of Weedon, who is chairman of the group's council when not busy with his job as NatWest chairman, saw a large gathering of senior judges, including Lord Justice Butler-Sloss, Lord Justice Giddwell and Mr Justice Johnson, and lawyers, who were urged to dip into their pockets to help the

for new premises, staff and equipment.

Lord Alexander said: "Justice now handles almost 1,000 enquiries a year. Miscarriages of justice are a canker in our society; they cruelly betray individual rights and undermine the rule of law. Justice was there as a 'last resort' in such cases, as well as in its role of promoting law reform."

For years, Justice has worked on a shoestring in cramped headquarters, Anne Owens, its director, said. Just locating the right file could take up a lot of time.

Clink-clink.

AS THE recession bites, are trainee solicitors turning to thoughts of crime? Lest the temptation prove too much, the London Solicitors' Trainee Group has summoned the party is being held at the Clink, a small museum that is housed in Britain's first private prison. The Bishop of Winchester, later known as Saint Swithun, opened the jail in AD 860.

Show goes on

TURNER Kenneth Brown has announced that it will continue financial backing for the Bristol Theatre Company

the outstandingly original mime and mask company which the City law firm has helped nurture to international prominence.

Trestle is touring *State of Bewilderment*, which is based on the work of Michael Leunig, an Australian cartoonist.

Most sponsorships by law firms concentrate on safe, established companies. Trestle, however, is adventurous enough to represent a challenge to convention.

Eastern premises

THERE may be life after death for property lawyers, provided they are willing to go

a bit further east than Canary Wharf.

While Europe languishes, some Pacific region economies are thriving. Malaysia, for example, is experiencing almost 9 per cent growth a year as the property market surges ahead at a great rate.

"Look East, young lawyer" may be good advice, therefore, and it is significant that Mackrell International, the international association of law firms, will hold its autumn conference in Kuala Lumpur towards the end of this month.

"What we shall be doing is discussing both the economic prospects for the region and the opportunities for lawyers," says Michael Slorick, Mackrell International's chairman and senior partner of the Covent Garden-based Mackrell Turner Garrett.

"Malaysia is one of the world's stronger economies. Kuala Lumpur has prospects for property deals that would rival City developments such as Broadgate."

Starting young

MORE THAN 1,000 schools have applied to pit their advocacy skills against one another in the third annual Bar National Mock Trial Competition this year. Sponsored by the Bar Council

## INNS AND OUTS



The Three Wise Property Lawyers

## CHANCERY BAR ASSOCIATION AUTUMN LECTURE

### Company Law and the EEC

The Chancery Bar Association Autumn Lecture will be held at 6.15 on Monday 2 November 1992 at the Great Hall, Lincoln's Inn, WC2. The speaker will be Mary Arden QC.

The aim of the lecture will be to assess the impact of recent developments in European Community law on domestic company law. In particular it will ask — will the recent European Court decisions on the effect of directives lead to a new approach in the interpretation of the Companies Acts?

The Chancery Bar Association welcomes to this public lecture solicitors, accountants, bankers, and all others who have an interest in the changing law on this important topic. There will be an opportunity for questions or contributions from the floor, which we hope many will take advantage of in the interests of a lively discussion. Any inquiries about the Lecture to: the Treasury Office, Lincoln's Inn.

The 620-strong Chancery Bar Association is an Association of specialist Barristers whose members conduct much commercial litigation, and who also specialise in companies, financial services, property, trusts, insolvency, wills, revenue, intellectual property etc.

SCRIVENOR



## Law Report October 20 1992 Court of Appeal

## Cut-off date applicable only to group action

**A, B and Others v John Wyeth and Brother Ltd and Others**  
Before Lord Justice Balcombe, Lord Justice Steyn and Lord Justice Hoffmann  
[Judgment October 13]

A cut-off date imposed by a judge assigned to deal with large group actions for those claimants who had by that date made application for legal aid assistance and who had served their writ and statement of claim or, in the county court, their summons and their particulars of claim, simply imposed a time limit on those claimants who wished to participate in group litigation.

A failure to meet such a deadline date did not destroy any claim itself but the cut-off date was essential for efficiency and for the expeditious monitoring of such group actions and any claimants who had not applied for legal aid or issued proceedings by the cut-off date could not then be entitled to participate in that group litigation.

The Court of Appeal held when dismissing the appeals of A, B and others, the 40 claimants who had actions running in respect of the drug Halcion, from the order of Mr Justice Ian Kennedy made on May 6, 1992 in the group litigation relating to benzodiazepine drugs whereby he ordered that the group litigation should be determined by the trial of lead cases binding upon all claimants and whereby he refused to extend, in favour of persons who had taken the drug Halcion, the

cut-off dates which he had imposed on June 28, 1991 as conditions for eligibility in the group litigation.

The respondents were John Wyeth and Brother Ltd, the manufacturers of a benzodiazepine, Valium, and Upjohn Ltd, a subsidiary of Upjohn USA who manufactured and supplied Halcion, whose generic term was triazolam, itself a benzodiazepine.

Mr Rupert Jackson, QC, Mr Oliver Thorold and Mr Richard Lynagh for the Halcion claimants; Dr Michael Powers for John Wyeth & Brother Ltd; Mr Andrew Pryor for Roche Products Ltd; Mr Robert Nelson, QC, Mr Mark Turner and Mr James Medd for Upjohn Ltd.

LORD JUSTICE BALCOMBE said that a group of 40 was unlikely to be large enough to select suitable lead cases and hence to persuade the Legal Aid Board to grant financial support to their actions. In addition they spoke for the 563 claimants who had not applied for legal aid before the cut-off date of September 24, 1991 imposed by Mr Justice Ian Kennedy and whose subsequent applications had been refused.

Multiple claims arising out of some drug alleged to be defective, or from some disaster, had become a well established feature of litigation in this and other countries in

recent decades. The Rules of the Supreme Court made no specific provision for group litigation but a procedure had gradually evolved and in May 1991 the Supreme Court Procedure Committee produced a most helpful *Guide for Use in Group Actions*.

Experience showed and the Guide recommended that each substantial group of actions should be assigned to one judge who would supervise the intercountry conduct of the proceedings as well as hear the trial. When it became apparent that there was a large number of claims arising from the use of benzodiazepine drugs, on June 20, 1990 Mr Justice Ian Kennedy was appointed as the judge to whom any actions were to be assigned.

At an early stage Mr Justice Ian Kennedy imposed cut-off dates to determine who should be eligible to join in the group litigation. On June 28, 1991 he ordered that for claimants in respect of benzodiazepine drugs to be eligible to participate in the group litigation they must have made an application for legal aid, if so desired and they must have served a writ and statement of claim, or in the county court, a summons and particulars of claim, before April 15, subsequently extended to August 31, 1992.

Those cut-off dates were given wide publicity and no complaint at the time was made about the imposition of the cut-off dates. By

their amended notice of appeal the Halcion claimants asked that a new cut-off date be imposed.

There was a fatal flaw in the claimants' arguments for they had confused what the judge had done with its effect both in relation to legal aid and in relation to subsequent steps of proceedings by any late-comers.

What Mr Justice Ian Kennedy did was to decide that the Halcion claimants who had not made their applications for legal aid by the cut-off date should not be entitled to join the existing group litigation. He did not, indeed he could not, say that they would forever be precluded from presenting their claims.

There was no substance in the claimants' arguments for their failure to make their claims earlier, as to which his Lordship made no opinion. Those were matters which could be put to the Legal Aid Board.

There was no basis upon which the Court of Appeal could interfere with the proper exercise of discretion by Mr Justice Ian Kennedy. As the Guide made clear, group litigation would become impossible if it was open-ended. Late additions of additional Halcion claimants would place intolerable delays and burdens not only upon defendants but also to the 500 existing Aivan and Valium plaintiffs.

LORD JUSTICE STEYN.

## Coroner's jury discretion

**Regina v Poplar Coroner, Ex parte Chaudhry**  
Before Lord Justice Farnham, Lord Justice Nourse and Lord Justice Evans  
[Judgment October 8]

A coroner was not given a wide discretion by section 8(3) of the Coroners Act 1988 whether to summon a jury for an inquest under section 8(3)(b), his task was to consider whether there was reason to suspect that the death occurred in "circumstances the continuance or possible recurrence of which is prejudicial to the health or safety of the public" and if it appeared that there were such circumstances then he had to summon a jury.

The Court of Appeal so stated when granting an *ex parte* review application by Mrs Brigitte Chaudhry for leave to move for judicial review of a decision by the coroner at Poplar Coroners Court on July 31, 1991. The coroner had declined Mrs Chaudhry's request to summon a jury for the inquest on the death of her son in a road

traffic accident. Her original application for judicial review was refused by Mr Justice Oton in January 1992.

Mrs Chaudhry in person LORD JUSTICE FARNHAM, giving the judgment of the court, said that the death followed a shocking accident at traffic lights. The applicant's case was that the conduct of the offending driver, who drove across red lights, prejudiced the safety of the public.

After doing considerable research on the case, the court said that the death followed a shocking accident at traffic lights. The applicant's case was that the conduct of the offending driver, who drove across red lights, prejudiced the safety of the public.

It was a difficult case to determine whether the matter should be investigated by way of judicial review. But it was arguable that there existed reasonable grounds for suspecting the death was within the jurisdiction of the court under article 177 of the EEC Treaty. The procedure laid down by article 177 was a mechanism for co-operation between the Court of

## European Law Report

## Luxembourg

## No advisory opinions on hypothetical questions

**Meilicke v ADVOKA F. A. Meyer AG**  
Case C-83/91  
Before Judge F. A. Schockweiler, acting as President, and Judges P. J. G. Kapteyn, G. F. Mancini, C. N. Kallias, J. C. Molino de Almeida, M. Dies de Velasco and M. Zuleaga

Advocate General G. Tesouro (Opinion April 18)  
[Judgment July 16]

The Court would exceed the limits of its jurisdiction if it were to rule upon a problem which was of a hypothetical nature in the absence of the elements of fact or of law which were necessary to enable it to give a useful answer to the questions asked.

The Court of Justice of the European Communities so held in declining to rule on questions submitted to it for a preliminary ruling by the Landgericht (Regional Court), Hanover.

Those questions had been raised in the context of proceedings between Mr Meilicke and the defendant company, of which he was a shareholder and whose board had reduced to provide him with certain information during the general meeting of shareholders on February 16, 1990.

The dispute involved the compatibility of the theory of disguised non-cash subscriptions of capital, as developed, in particular, in the case law of the German Bundesgerichtshof (Federal Supreme Court) with the Second Directive No 77/91/EEC of the Council of December 13, 1976 on the co-ordination of safeguards which, for the protection of the interests of members and others, are required by member states of companies within the meaning of article 58 of the EEC Treaty, in respect of the formation of public limited liability companies and the maintenance and alteration of their capital, with a view to making such safeguards equivalent (OJ 1977, No L26, p.1).

The Landgericht, in the interests of legal certainty, decided to refer a number of questions to the Court of Justice of the European Communities for a preliminary ruling.

In its judgment, the European Court held as follows:  
Having regard to the context in which the Landgericht had submitted the preliminary questions, it was necessary to recall and clarify certain principles relating to the jurisdiction of the Court under article 177 of the EEC Treaty.

The procedure laid down by article 177 was a mechanism for co-operation between the Court of

Justice and national courts.

In the context of that co-operation, the national court, which alone had direct knowledge of the facts of the case, was best placed to determine the necessity for a preliminary ruling in order to enable it to give judgment, having regard to the specific features of that case.

Consequently, where the questions put by national courts concerned the interpretation of a provision of Community law, the Court was, in principle, bound to give a ruling.

However, in Case 244/80 *Rugila v Novello* [1981] ECR 3045, the Court took the view that it was for the Court of Justice, in order to confirm its own jurisdiction, to examine the conditions in which the case had been referred to it by the national court.

The spirit of co-operation which had to govern the operation of the preliminary ruling procedure required that, for its part, the national court should have regard to the power function of the Court of Justice which was to contribute to the administration of justice in the member states and not to deliver advisory opinions on general or hypothetical questions.

The need to provide an interpretation of Community law which would be of use to the national court, made it essential to define the legal context in which the interpretation requested should be placed and, from that point of view, it might be convenient, in certain circumstances, for the facts in the case to be established and for questions of purely national law to be settled at the time the reference is made to the Court of Justice, so as to enable the latter to take cognisance of all the features of fact and of law which might be relevant to the interpretation of Community law which it was called upon to give.

In the absence of those elements, the Court might find it impossible to give a useful interpretation.

In the light of those considerations, it was necessary first to observe that the specific framework of the dispute which had given rise to the preliminary ruling was defined by articles 131 and 132 of the Aktiengesetz (Law on Companies). Those articles dealt with the right of a shareholder to be informed by the board of a company.

The preliminary questions did not relate directly to that law, but in substance raised the question of the compatibility of the theory of disguised non-cash subscriptions of capital, as derived in particular from the case law of the Bundesgerichtshof, with the Second Directive.

It was not necessary to rule upon the questions submitted by the Landgericht, Hanover.

and Directive. The national court took the view that a reply to those questions was necessary to enable it to rule on the request for information submitted by Mr Meilicke. In that regard, it emphasised that his application would have to be rejected if it were to prove that the theory of disguised non-cash subscriptions of capital was incompatible with the Second Directive.

It was apparent, however, from the file that it was not established that the conditions for the application for that theory were present in the main proceedings.

ADVOKA dispensed both during the course of the procedure before the national court and in its observations submitted to the Court of Justice that the German case law was applicable to the transactions between itself and its bank.

The national court itself made a provisional declaration, indicating that it was possible that the bank's contribution was contrary to the case law in question.

It followed that the problem relating to the compatibility of the theory of non-cash subscriptions with the Second Directive was of a hypothetical nature.

It was then necessary to observe that the hypothetical nature of the problem upon which the Court was asked to make a ruling was confirmed by the fact that the file did not specify the points of fact and law which would enable the court in which the increase in capital of the company had taken place to be defined to establish the connection between the contribution made by the bank and the theory of disguised non-cash subscriptions, as explained in the German case law.

The preliminary questions referred specifically to the compatibility of that theory with the Second Directive and thereby raised several problems, the solutions to which depended, to a large extent, on circumstances in which the increase in capital had arisen.

In those circumstances, the Court was asked to rule on a question of a hypothetical nature without having available the elements of fact or of law which were necessary for it to provide a useful reply to the questions submitted to it.

It followed that the Court would exceed the limits of its jurisdiction if it were to decide to answer to the preliminary questions put to it.

On those grounds, the Court ruled:  
It was not necessary to rule upon the questions submitted by the Landgericht, Hanover.

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## Paying Commission

Every day of the week we give advice to solicitors and employers on salary levels being paid in all regions of the country in industry and private practice. We also advise on the kind of remuneration packages being offered, and how they are structured. In this area, our advice is increasingly being sought on a new development causing widespread concern - offers of employment where commission constitutes a substantial portion of the salary.

Many firms have always offered fee-earners a percentage on work they introduce to the firm - whether the work is done by themselves or by others. This would be in addition to their normal salary. What we are now seeing - mainly outside London, and especially in the North - is a low basic salary topped up by a percentage of billings on all work done above a certain target figure.

Newly-qualifieds, for example, are being told, on an hourly or daily basis, that their salary is dependent on the work they bring in. Some are offered, if they bill more than, say, £3,000 a month, a senior solicitor's salary, accustomed to earning £30,000 and more, are being offered a guaranteed £20-25,000 plus commission of 10% over £30,000, 20% over £50,000, and so on. The package takes a variety of forms. It is used to be found only among the smaller general practices. Now it is spreading to medium-sized commercial firms in major city centres.

The suggestion that commission does not reflect adversely on them - it is a measure of the current economic malaise. If firms are recruiting at all they are recruiting nervously. They may not be in a position to offer anything without some element of risk-disincentive.

Michael Chambers

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For further details please telephone Eileen Saunders on (0243) 777782 or write to the County Secretary, County Hall, Chichester, West Sussex PO19 1RQ. Closing date: 10th November 1992. (24236)

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## IS THE LAW MALE?

## Last chance to join the debate

The legal system is run by and for men. Helena Kennedy pleads for a fairer hearing for women

Women are not going to settle for a legal system that does not take account of their needs, and the needs of their children.

THERE ARE only a few seats left for the Times/Dillons debate on justice in the legal system, which will take place on Thursday, October 29. It will look particularly at the treatment of women and minorities in our courts and at the criteria by which judges are appointed. Are English judges out of touch with modern attitudes, preferring to rely on racial and sexual stereotypes? Is the law dispensed more harshly to those groups not represented in the predominantly male judicial establishment? And if so, what measures are needed to ensure a fairer balance in the scales of justice?

The debate will be led by Helena Kennedy QC, seconded by Geoffrey Robertson QC. They will be opposed by Christina Gorn, who will be seconded by Michael Kaishner QC. Lord Williams of Mostyn will be in the chair.

The discussion will begin at 7.30pm at the Institute of Education, 20 Bedford Way, London WC1.

Times readers wishing to attend should fill in the coupon below, though seats, alas, can no longer be guaranteed.

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## Sir Frederick

## Lawton takes

issue with a false picture of judicial office

Are the judges as bad as Helena Kennedy QC (The Times, October 8) thinks they are? Blinkered, arrogant, institutionalised, dependent on known forms and reluctant to contemplate change? In her book, *Eve Was Framed*, she listed other judicial vices, the most surprising being that they divide women into stereotypes - good fragrant wives and loose women, the former being treated with cloying sentimentality, the others harshly.

All will be well in Ms Kennedy's new legal world. More women will be appointed to the bench even if it means that the Lord Chancellor will have to initiate the fast-tracking of the very able younger women. He should establish a new way of appointing supreme court judges and law lords.

There should, she says, be public debate about applicants for the bench, their track records and declared opinions being taken into account. If this ever happens, conversation in the Garrick will become very muted.

I suspect that Ms Kennedy, when she was a young barrister in the late 1960s, heard stories about the way judges in the previous two or three decades had behaved and had assumed that the unpleasant traits they had shown were passed from one judicial generation to another. Changes in judicial attitudes and behaviour came after 1945. It was rumoured that Lord Chancellors in those years were reluctant to appoint anyone to the bench who had not served in the armed forces during the 1939-45 war or because of special skills had been employed in government service. The war years were an education to all who lived through them.

Barristers of my generation ended the war years with a much better understanding of the world that the law had to serve. The need for change and reform was widely accepted. Those appointed to the bench after 1945 brought with them this new outlook and a dislike of the patronising and arrogant attitudes shown by some of the older judges.

The retirement of Lord Goddard as Lord Chief Justice in 1949 and the appointment of Lord Parker as his successor marked the beginning of a new era. The new Lord Chief Justice was a reforming judge. He wanted to establish a



The judiciary: a monstrous male preserve? Sir Frederick Lawton, left, disagrees with Helena Kennedy, right



bench of judges who shared his dislike of arrogance and rudeness and who were willing to accept change. He had a large measure of success.

Ms Kennedy, when charging judges with being reluctant to contemplate change, has overlooked the fact that Lord Parker established training for judges and was always willing for them to be appointed, and they to serve, as chairmen or members of committees set up to advise on the reform of the law.

Public concern about the miscarriages of justice revealed in the past three years

have led many, and Ms Kennedy is one, to infer that the judges were in some way responsible. In not one of these cases was the conviction quashed because of anything the trial judge had done or omitted to do. Judges trying cases on indictment make no findings of fact on the evidence. Doing so is the function of the jury. A judge may describe a woman as arrogant; but a jury may decide otherwise when its members come to assess the evidence. It is their assessment that matters.

Those who criticise the Lord Chancellor for appointing so

few women judges fail to appreciate the historical background. Before 1919, women could not become barristers, from whose ranks then and until recently all judges had to be recruited. For three or four years after 1919, a few women were called to the Bar. They did not do well, perhaps because of prejudice against them. It began to be thought that the Bar was not a career for women. When I started to read law at Cambridge in 1932, there was only one woman doing so in my year.

The difference between those years and now is perhaps

shown by the fact that she always turned up at lectures smartly dressed and wearing a hat. Although I started practice at the Bar in 1935 I did not have a woman opponent until 1947. She had been called to the Bar in the early 1920s.

Shortly afterwards, I found myself against three much younger women who were to become judges, Rose Heilbrunn, Elizabeth Lane and Nina Lowy, but I remember no others before I left the Bar in 1961.

As a result, 20 to 30 years later, the pool from which the Lord Chancellor could choose experienced and able barristers to become judges was tiny. From about the early 1960s women started coming to the Bar in considerable numbers.

In recent years, there have been as many women law students as men. They tend to get better degrees. But they do remain women and as such they have been handicapped by the biological factor that they bear children.

On doing so, some give up practice, others stay away for periods varying from a few weeks to years, during which they are not gaining experience. All these factors have reduced the number of women with the requisite qualifications for appointment to the bench. They may not do so to anything like the same extent in the future.

Past scarcity is also the explanation of why so few members of the ethnic minorities have been appointed to the bench. When I left the Bar in 1961, only about half a dozen of them were in practice. But from the 1970s onwards the Senate of the Inns of Court and leading members of the Bar have tried to help. Finding ways of doing so has not been easy. Chambers cannot be made to accept tenants from the ethnic minorities; and still less can solicitors be made to brief coloured barristers. Those with the requisite qualifications for appointment to the bench are still few in numbers. What is certain is that the judges welcome as advocates anyone who is competent, whatever their colour or gender.

●The author is a retired Lord Justice of Appeal.

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## RUGBY UNION

# France seeking to strike a blow for on-field discipline

By DAVID HANDS, RUGBY CORRESPONDENT

FRANCE, more often sinners than saints, are looking to make a statement, with some justification, that disciplinary standards invariably applied against them, the president of the French federation, has appealed to his South African visitors to mend their ways before the second international between the two countries in Paris on Saturday.

The cause of French breast-beating, in the wake of their 20-15 defeat in Lyons, was the blow which laid low Abdelatif Benazzi, the replacement lock, whose own disciplinary record has some blot, was punished by Adrie Gedenhuys shortly after coming on in the second half, though an x-ray revealed no broken bones. He should take his place in the squad this week.

"There was an unpleasant gesture and it was South African," Lapasset, who has been at the forefront of a drive to clean up the national side's image, said. "The French game has been accused so many times in the past that, as far as discipline is concerned, the match was a victory for us. The referee wasn't tough enough. We have changed our behaviour and I hope South African rugby will be able to do the same."

The question of discipline has rumbled throughout this tour. Andries van Heerden,

the South African-born lock from Tarbes, accused his countrymen of violence during their match against Aquitaine in Pau. In Marseilles last week, the two sides came to blows, and South Africa's ability to handle themselves in that match against Provence seems to have influenced selection.

It is scarcely appropriate to criticise this stand from a French team that behaved so well in Lyons, but rugby is fundamentally an aggressive game which requires a balance to be struck between hard and unacceptable play.

There is no question of an elated South African team disciplining Gedenhuys, the Eastern Province lock, who has been sent off for violence in domestic rugby; the touring management might claim that the incident was spotted by a touch judge and a penalty awarded at the time. The blow, much televised since, was struck from behind and Gedenhuys himself required an x-ray in Beziers yesterday on a suspected broken wrist.

The question for the French selectors is whether to change their personnel or to hope that the same XV could hardly play so meekly again. There is unhappiness that Alain Penaud, the stand-off half, failed to follow the match plan and the selectors may hope for firmer leadership from Marc Ocellon, whose role appeared

to be usurped by Aubin Hueber, the scrum half.

The experimental rugby-law did France no favours either. Members of the International Rugby Football Board's laws committee, who meet in a month's time, watched France sustain open play, only to be halted by desperate defence a few metres short and fall to win the consequent ruck, thus turning possession over.

In other words, they had produced an exciting game, they had fallen just short of scoring and then found themselves penalised by losing the ball. In that respect, South Africa were well served by the strength of their forwards and the centre, Danie Gerber, a point appreciated by Peter Rossborough, the England B assistant coach, who was watching.

"Their upper-body strength impressed me throughout, their two lineout men proved quite athletic and they chased kicks very well, to put a lot of pressure on the ball receiver," Rossborough said. Geoff Cooke and Dick Best, manager and coach of England's senior team, will attend the match in Paris.

England field a B team against the South Africans in Bristol on November 7, a week before the senior international at Twickenham. Squads for both matches are expected to be announced today.



Looking towards a happy future: Lewis laughs off the threat of his next opponent, Donovan "Razor" Ruddock, in London yesterday

## Lewis extends no charity to Ruddock

By SURESH K. SINGH, BOXING CORRESPONDENT

AFTER Frank Bruno, Britain's other world heavyweight contender, Lennox Lewis prepares to step into the ring, Lewis's opponent at Earls Court on October 31, will be Donovan "Razor" Ruddock, of Canada, a slightly different proposition from the man Bruno faced, Pierre Coetzee, of South Africa, on Saturday. Ruddock is the world No. 1 and the most feared heavyweight in the top ten.

Lewis, who arrived back in London on Friday after six weeks' training in the Pocono mountains of Pennsylvania,

has no intention of using weight, like Bruno, to push the big Canadian around. Compared to Bruno, Lewis looked positively athletic at 230lb.

"I look at this as a world championship fight," Lewis said yesterday. "I'm down 5lb from the last time I fought. Whatever my weight on the day, I'll be satisfied but it definitely won't be 17st 6lb [Bruno's weight]. All the hard work I put in has brought my weight down."

He was unmoved by Ruddock's threat to knock him out. "He said only God could help me," Lewis said. "It doesn't affect me in any way. He needs to keep his

mouth busy because Tyson broke his jaw. He has to work it up."

Lewis seemed more concerned about the future of the coalminers than the one Ruddock was planning for him. Lewis has given the miners £15,000 worth of ring-side tickets. "The money has come from his purse," Lewis's manager, Frank Maloney, said. "A letter was sent to Arthur Scargill and he has accepted the offer."

"I feel very bad for them; 30,000 being put out of work," Lewis said. "I've grown up in poverty. I know what they are going through, especially to have a job and then not have one."

Lewis's trainer, Pepe Correa, was very pleased with the training in the United States. "You are going to see a different Lewis," Correa said. "He is 50 per cent better than the one that beat Mike Dixon. Now we call him 'Too Sharp' Lewis."

Neither Ruddock's big punch nor the fact that Floyd Patterson has been training him worried Correa. "If he has to have Patterson doing the thinking for him he's in serious trouble. Patterson can't be in the ring with him. Remember Ruddock was stopped by Tyson, a good heavyweight but a small one. Lewis is a good heavyweight and a big one."

"Ruddock's got to land the big shot. He is very dangerous if you let him hit you on the chin. Lennox is one of the best defensive fighters. I think we are going to take him [Ruddock] to school. Lennox is so versatile he is a pleasure to work with."

Correa, who has trained three world champions, including Sugar Ray Leonard, believes Lewis will be his fourth world champion.

## Nucifora promoted to captain

By DAVID HANDS

DAVID Nucifora, the Queensland hooker, will lead the Australians against Munster in Cork tomorrow, when all those who took no part in the 38-11 win over Leicester at the weekend will play.

The only player to appear in both matches will be Dan Crowley, who replaced the injured Tony Daly last Saturday. Daily flies home on Thursday for treatment to a disc problem and his replacement, Matt Ryan, who toured South Africa with the Wallabies, is due to join the party tomorrow.

Nucifora has been capped only once, as a replacement against Argentina during the World Cup last year.

Uster, who play the Australians at Ravenhill on Saturday, have named the XV which was lost 26-15 to London last weekend. In the only amendment, Derek McAleese, who was capped against France last season, joins the replacements.

Australia XV: 1. K. Hume, 2. S. Hume, 3. J. Hume, 4. J. Hume, 5. J. Hume, 6. J. Hume, 7. J. Hume, 8. J. Hume, 9. J. Hume, 10. J. Hume, 11. J. Hume, 12. J. Hume, 13. J. Hume, 14. J. Hume, 15. J. Hume.

## Roberts holds key to S African selection

FROM CHRIS THAU IN BEZERS

SOUTH AFRICA's win by 20-15 over France in the international at Lyons on Saturday has made the game against a Languedoc selection here today less critical, although there are still doubts over certain positions.

Abel Malan, the South African manager, confirmed that some changes in the team might be made for the next international in Paris if players produced high-calibre performances against Languedoc.

If the Transvaal hooker, Harry Roberts — not a favourite of the coaches because of his comparatively inaccurate throw-in — makes a greater impact in the tight, while maintaining his high work-rate in the loose, the selectors might be convinced to move Willie Hill from hooker back to tight-head prop at the expense of Heinrich Rodgers, who often struggled against the experienced Army.

At centre, Heinrich Fula, returning to the side after an injury in Toulouse, could challenge the experienced Danie Gerber, whose defence was fiercely criticised during

the international against France. On the wing, Peter Hendricks, also back in the team, after he was injured in the opening game in Bordeaux, must produce an outstanding performance to upstage the young Northern Transvaal winger, Jacques Olivier, who made a more than adequate international debut on Saturday.

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## Sprague a hit in Blue Jays cameo

FROM KEITH BLACKMORE IN ATLANTA

THE Toronto Blue Jays returned home to the SkyDome with the wind filling their sails yesterday. A ninth-inning home run by an unheralded pinch hitter, Ed Sprague, gave them a 5-4 victory over the Atlanta Braves on Sunday night and levelled the 89th World Series at 1-1.

Starting tonight, the next three games are in Toronto, the first time World Series matches have been held outside the United States. And, if the Blue Jays can win them all, they will claim the championship without having to return to American soil.

Not for the first time in a World Series, the hero of the drama emerged from the supporting cast. Until Sunday night, Sprague was better known as the husband of Kristin Sprague, who won an Olympic gold medal for syn-

chronised swimming in Barcelona this summer. Kristin, like her husband, is an American, and it did not help his relationship with the Blue Jays supporters that she beat a Canadian, Sylvie Frechette, into second.

That is likely to be forgotten now. When he came to the plate as a pinch hitter in the top of the ninth inning, his team trailed 4-3 and, with a man on first base, was two outs from defeat. Atlanta's experienced closing pitcher, Jeff Reardon, greeted him with a low fastball, which is just what Sprague likes, and he clouted it 370 feet into the end zone of Toronto supporters beyond the left-field fence.

Sprague seemed almost as shocked by his achievement as the Braves were. "I didn't see it. When I looked up, I was looking right into the lights but I knew I hit it good. It was so exciting," he said.

That splendid moment illu-

minated what was otherwise a game more notable for errors and minor controversies, which suffered by comparison with the pomp and circumstance of the opening night.

The tone was set before the first pitch was made. Someone hung the Canadian flag upside down, bringing a prompt and fulsome apology from the sport's (American) governing body, Major League Baseball.

A fielding error by the Toronto short stop, Manuel Lee, helped Atlanta to take the lead in the second inning, and they extended it in the fourth when Mark Lemke singled home Sid Bream.

Bream went quickly from hero to goat, as the saying here

goes. In the next inning, his poor throw helped Borden, then Lee, to score for the Blue Jays. In the bottom of the same inning, Atlanta responded: Sanders singled; stole a base, advanced on a throwing error by Borden, then scored when Justice singled.

That was the end of the Toronto starting pitcher, David Cone, but his successor could not stop Pendleton making the score 4-2 on Hunter's sacrifice fly.

After a protest by the Toronto manager, Cito Gaston, in the sixth, Smoltz, the Atlanta starter, was forced to remove some tape from his non-throwing arm but his pitching control was already coming unstuck and he was replaced in the seventh.

At this point, an Atlanta victory still seemed likely, but in the eighth, Winfield's single scored Alomar, making it 4-3 and setting the stage for Sprague's dramatic entry.

## HOCKEY

## Finchfield will travel

NOTTINGHAM, winners in 1976, have been drawn at home against Finchfield in the second round of the Royal Bank of Scotland Cup on November 1 (Sydney Friskin writes).

Jersey, who survived the first round with a 2-0 win over Plymouth, must travel to the mainland to play West Witley. Ipswich, who beat Romford 6-1, will travel to Luton Town.

Draw: Luton 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

APPEARANCES are often deceptive. Nottingham Forest, four points adrift at the foot of the Premier League, are not playing as badly as their position indicates and they can hold Sheffield United to a draw at Bramall Lane.

Coventry City v Chelsea and Queens Park Rangers v Leeds United are other treble chance probabilities in the top section. Coventry's healthy position is mostly down to their away form. At home they are liable to drop points, so do not be surprised if Chelsea capitalise.

Leeds, who have looked more like championship contenders in recent weeks, are tipped to share the spoils at Rangers. Rangers have drawn three times at home, Leeds three times away.

West Bromwich Albion have lost their way, and the second division leadership. They will find it hard to regain momentum against improving Rotherham United and will probably be held to a home draw for the first time this season. Stoke City and Port Vale, both in form, look like producing a draw in their Potteries clash.

At centre, Heinrich Fula, returning to the side after an injury in Toulouse, could challenge the experienced Danie Gerber, whose defence was fiercely criticised during

the international against France. On the wing, Peter Hendricks, also back in the team, after he was injured in the opening game in Bordeaux, must produce an outstanding performance to upstage the young Northern Transvaal winger, Jacques Olivier, who made a more than adequate international debut on Saturday.

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the international against France. On the wing, Peter Hendricks, also back in the team, after he was injured in the opening game in Bordeaux, must produce an outstanding performance to upstage the young Northern Transvaal winger, Jacques Olivier, who made a more than adequate international debut on Saturday.

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APPEARANCES are often deceptive. Nottingham Forest, four points adrift at the foot of the Premier League, are not playing as badly as their position indicates and they can hold Sheffield United to a draw at Bramall Lane.

Coventry City v Chelsea and Queens Park Rangers v Leeds United are other treble chance probabilities in the top section. Coventry's healthy position is mostly down to their away form. At home they are liable to drop points, so do not be surprised if Chelsea capitalise.

Leeds, who have looked more like championship contenders in recent weeks, are tipped to share the spoils at Rangers. Rangers have drawn three times at home, Leeds three times away.

West Bromwich Albion have lost their way, and the second division leadership. They will find it hard to regain momentum against improving Rotherham United and will probably be held to a home draw for the first time this season. Stoke City and Port Vale, both in form, look like producing a draw in their Potteries clash.

At centre, Heinrich Fula, returning to the side after an injury in Toulouse, could challenge the experienced Danie Gerber, whose defence was fiercely criticised during

the international against France. On the wing, Peter Hendricks, also back in the team, after he was injured in the opening game in Bordeaux, must produce an outstanding performance to upstage the young Northern Transvaal winger, Jacques Olivier, who made a more than adequate international debut on Saturday.

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Jockey plan b

CHESTER



# Jockey Club rejects strike plan but calls early summit

By RICHARD EVANS  
RACING CORRESPONDENT

AN EMERGENCY summit of racing leaders is being organised by Lord Hartington to discuss the crisis facing the sport.

The move by the Jockey Club senior steward coincided yesterday with Portman Square rejecting an appeal in the most sympathetic manner — the call by Bill Greedy for a one-day strike by owners.

Hartington has written to the seven members already appointed to the British Horseracing Board and the candidates for the three remaining seats. A meeting to discuss "future strategy" will be held "at the earliest possible moment" — probably early next month — before the board is formally constituted.

In a statement, Hartington and his fellow stewards said they were "fully aware of the deep concern felt throughout the racing and breeding industries," but believed

Greedy's strike call was not the "appropriate response."

The comments which the Jockey Club has received from Westminster and Whitehall indicate that strike action at the moment will not be effective, the statement said.

With plans for the BHB being finalised, the annual levy negotiations coming to a head, and discussions with the government over VAT and bloodstock continuing, this is a sensitive time in racing politics.

## National prize-money up

THE Grand National will buck the trend of dwindling prize-money by this season offering a winning purse of more than £100,000 for the first time in its 156-year history.

Martell are putting more than £350,000 into the three-day Aintree meeting, an increase of £4,000 on this year. This includes a £5,000 boost

Following the budget day cut in betting duty, the stewards said they wanted to build on the constructive relationship which had been forged with government and they felt "this would not be helped by any boycott which could cause divisions within racing."

In a telling passage, the Portman Square statement added: "Racing has been severely underfunded since 1961, but the government and bookmakers have seen their revenues from racing

maintained at healthy levels. However, owners who provide the major financial input cannot be expected to continue their involvement unless racing's share of the money it generates is a fair one."

Bill Greedy was the first to acknowledge the importance of Hartington's summit call. "It is an amazing statement. The Jockey Club is setting a lead. It is the first time they have said the Jockey Club has come off the fence and said they will take a lead."

"It looks as though they are trying to slap me gently over the wrist for having suggested a strike, but at the same time putting an arm round my shoulders to show that something is happening."

Given the unexpectedly positive nature of the Jockey Club statement, Greedy will reflect overnight whether the one-day strike on November 2 should go ahead. I confidently expect him to call off the day of action — or suspend it — given the success he has achieved.

## Snurge caps Cole's fine weekend

PAUL Cole completed a highly profitable weekend in North America when Snurge, a 5-1 chance, took the \$297,196 Rothmans International at Woodbine, Toronto, on Sunday night.

Twenty-four hours earlier the Whatcombe trainer had captured another grade one event when Zoman and Alan Munro won the \$239,362 Budweiser International at Laurel, Maryland.

Snurge, ridden by Richard Quinn, was awarded the Rothmans in the stewards' room after finishing half-length second to Winoso.

Of the other British challengers, Saddlers' Hall finished fifth, Beyton sixth, Mashaallah eleventh and Spinning twelfth.

Hatoot, ridden by Walter Swinburn, confirmed her return to top form when winning the \$ P Taylor Stakes. Ruby Tiger finished fourth and Party Cited fifth. Criquee Head may now run Hatoot in the Breeders' Cup Turf on Saturday week.

## Golden Guest can initiate Chepstow double for Cecil

JULIE Cecil and Paul Eddery can team up to land a two-year-old double at Chepstow today with Golden Guest and Louvre.

Golden Guest, their runner in the Par Eddery 200-In-A-Season Maiden Fillies' Stakes, ran particularly well on her second outing at Newmarket earlier this month when she split Nicer and Desert Venus in the Alington Stakes.

As Nicer had finished fifth in the group one Moyglare Stud Stakes at the Curragh on her previous start and Desert Venus had finished second at Goodwood to Rain Brother, the winner of his next two races, the form is solid.

Following that promising first run at Newcastle, where he was beaten only a short head by Spice And Sugar, Louvre is napped to win the Copse Maiden Stakes.

His trainer was well satisfied with that first run and he was arguably unlucky not to get the race in the stewards' room as he got a hefty bump from the winner close home.

The way that he stayed on at the end of six furlongs

looked unlucky not to score after that at Haydock.

The finish of the Meadow Handicap is likely to be fought out between Will Of Steel and Lahook, who finished second on the same card at York ten days ago. Lahook, beaten a length by Drummer Hicks, is marginally preferred to Will Of Steel, who went under by the same margin to Denshen.

Mrs Cecil should also be among the winners at Chester with Iota, for whom Michael Roberts has been booked in the Tautenhal Handicap.

Roberts two other eye-catching rides through the promising Clive Brittain-trained newcomer Erdon in the first division of the Salway Maiden Stakes and Cachou in the Bunbury Handicap.

Last time out Cachou was beaten only a neck at Goodwood by Plan Ahead, who went on to beat talented filly Royale in a valuable handicap at Ascot.

Barry Hills, always a man to be feared at Chester, can land the Queensferry Graduation Stakes with the consistent Hung Parliament.



Cecil: two likely juvenile winners at Chepstow

MANDARIN	THUNDERER
1.50 Erlon.	1.50 Persiansky.
2.20 Threepence.	2.20 HUNG PARLIAMENT (nap).
2.20 Hung Parliament.	3.20 Crystal Jack.
3.50 Erlon.	4.50 Kaiser Wilhelm.
4.50 Cachou.	4.50 Jackpot Star.
4.50 Jackpot Star.	

RICHARD EVANS: 3.50 Iota.

Our Newmarket Correspondent: 1.50 Erlon.

The Times Private Handicapper's top rating: 2.20 THREEPENCE.

GOING: GOOD TO SOFT

DRAW: 6F 18YD-7F 122YD, LOW NUMBERS BEST

1.50 SALTNEY MAIDEN STAKES (Div 1: 2-Y-O: £3,522: 7f 122YD) (5 runners)

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(1) 1000000	(2) 1000000	(3) 1000000	(4) 1000000	(5) 1000000

BETTING: 15-8 PERSIANSKY, 5-2 THUNDERER, 4-1 FORTUNE, 5-1 ERLON, 12-2 HUNG PARLIAMENT.

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## 39

## CHANNEL 4

6.00 Cartoons (89310)  
7.00 The Big Breakfast presented by Chris Evans and Gaby Roslin (54049)  
9.00 You Bet Your Life. American quiz game show hosted by Bill Cosby (49556)  
9.30 Schools (200407)  
12.00 The Parliament Programme. The first of a new series, presented by Anne Perkins (32320)  
12.30 Sesame Street. Pre-school learning series (84092)  
1.30 Take 5. Young people's entertainment (87204)  
2.00 Film: King of Burlesque (1936, b/w). Lively backstage musical starring Warner Baxter as a Broadway producer whom a spendthrift socialite. Directed by Sidney Lanfield (826843)  
3.40 The Three Stooges in Three Little Twips (b/w) (8658223)  
4.00 Family Pride. The first of a new, three-times-a-week, 26-part drama series following the fortunes of an Asian businessman and his family living in Birmingham (s) (204)  
4.30 Fillins To Go. Fast-moving knock-out general knowledge competition. With William G. Stewart (s) (488)  
5.00 Crawshaw Paints on Holiday. In the last of his series Alwyn Crawshaw visits a busy port and a sleepy harbour (4575)  
5.30 If Wishes Were Horses. A new six-part series about the children of mixed ability learning to ride (s) (440)  
6.00 Remote Control. Off-beat comedy quiz show presented by Anthony H. Wilson (s) (681)  
6.30 Roseanne. Misleading comedy from Roseanne Arnold and John Goodman (s). (Teletext) (933)  
7.00 Channel 4 News. (Teletext) Weather (758391)  
7.55 Comment. Andrea Adams talks about bullying at work (856861)  
8.00 Bay of Thundering Ice. A documentary about the rich and varied wildlife of Alaska's Glacier Bay. (Teletext) (6989)  
8.30 Check Out 82. Tina Jenkins investigates how the Health and Safety Executive is reacting to the increase in farmground accidents and Carol Peters looks at the potentially fatal effects of Paracetamol overdoses (s) (2594)



**Was Michelangelo gay? John Byrne investigates (8.00pm)**

**9.00 Without Walls.** Having tried last week to suggest that Shakespeare was a closeted homosexual lecher, *Without Walls* performs similar exercise on Michelangelo. The investigation is conducted by John Byrne, the Scottish writer of *Tutti Frutti*, with the help of art historians and critics. Michelangelo's sublime depiction of the male form may well suggest a homoerotic imagination. If so, this may have set up a conflict with his Catholic faith. But there is not much to go on and does it matter anyway? *Without Walls* also returns to mock obligatory formal for Sir Jimmy Savile. As usual Savile says much and reveals little, claiming that the private man may say unkind things, his proud boast is that he invented the disco jockey. Peter Waterman says this brackets him with the Beatles as the most important influence on British music (#17)

**9.00 Film on Four: December Bride (1960)** starring Sheila Reeves. Atmospheric romantic drama, set in a turn-of-the-century Irish Protestant community, about a strong-willed woman who becomes passionately involved with two brothers. With Donald McConn and Clara Hindes. Directed by Thaddeus O'Sullivan. (82303)

**1.40 Empty Nest.** Comedy series starring Richard Mulligan (Telnet) #2

**2.10pm Burning Books on "Sex".** A panel of guests chaired by Helena Kennedy discusses Madonna's Sex (157771)

**2.40 The Late Maitre Pascal.** Episode two of the three-part drama starring Marcello Mastroianni. In Italian with English subtitles (939308)

**2.00 Film: Accused (1936, b/w).** Routine murder mystery starring Dolores Delaney as a dancer accused of killing a singer (Florence Lawrence) who is really gay, playing a byre for her husband, Douglas Fairbanks, Jr. Directed by Thornton Freeland (787233). Films 2.00

## American Sports Cavalcade

the Astra satellite  
Africa Sat Aerospace (25468) 8.50 Beach  
ray (14339) 11.00 Eurocom (Germany)  
1989 (1130) Sport Aircraft (8457) 12.00  
Aerobics Cycling (8949) 8.00me Motion  
tains (16385) 3.00 Water Sling (4878)  
10 Tennis (8800) 6.00 Mersbach Labon  
1.30 8.00 Eurogate (7594) 7.00 Euro  
1633) 9.00 Eurokin Europe (7682)  
4 Europort News (8739) 10.00 Football  
11.30 12.00 Kick Boxing (76116) 19.45-  
Europort News (807602)

**GREENSPORT**

the Astra satellite  
nion MSA (77) (2644) 6.00 Long  
tance Video (56339) 3.00 Soccer (2454)  
Aerobics Cycling (8949) 11.00 Power-  
at World (1519) 12.00 World Sports  
son (51919) 12.25me Baseball (25512)  
of Football Europe (76116) 19.45-  
d Series (56339) 3.00 PGA European

**LIFESTYLE**

the Astra satellite  
nion Position Fix (4229) 10.30 Court  
Sport (22914) 11.00 Goss (54440) 11.30  
The John Rivers Show (359572) 12.15me  
Sally Jessy Raphael (40944) 1.10  
Lunchbox (75300268) 1.40 Self-Visi-  
on (7575848) 8.25 Remington  
Shoe (660047) 5.00 The New York Game  
(5198) 3.00 The Elite White Show (465)  
6.00 Dick Van Dyke Show (758752) 4.4  
American Glimpse (8272539) 5.30 Self-  
vision (5136) 6.00 Self-Visi- Jessy Raphael  
(3136) 7.00 Self-Visi- (85332) 9.00  
10.00me Soccer (2454) 11.00me 2.00-  
3.00me Last American Dance (1488)

**SPORTS INTERNATIONAL**

the Astra satellite  
Twenty-four hour news bulletins


1990

# Life Preserver

Disaster at sea is something we have to learn to live with. But worse things can happen ashore – when sailors grow old, become disabled, fall on hard times, leave widows to be cared for and children to be educated.

King George's Fund looks after Royal Navy and Royal Marines widows and orphans from two World Wars and the Falklands Campaign to the present day. It is also the vital safety net for the many charities which serve the Merchant and Fishing Fleets. In 1991 alone, nearly 100 maritime charities received £2m in help from KGFS.

All these charities rely heavily on us – as we need to rely on you. Your gift and your legacy will be their lifeline in a very special sense. Please give us your support!



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**The Safety Net for all Seafarers**

1 Chesham Street, London SW1X 8NF

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**KING  
GEORGE'S  
FUND FOR SAILORS**

**The Safety Net for *all* Seafarers**

1 Chesham Street, London SW1X 8NF  
Tel: 071-235 2884

*Charity 226446*



## SPORT

TUESDAY OCTOBER 20 1992

CRICKET 38

ZIMBABWE TAKE  
CONTROL OF  
FIRST TEST MATCH

## Brain claims payments 'widespread' in rugby



Brain: against hypocrisy

RUGBY union players are demanding and receiving illegal cash inducements from English clubs. Steve Brain, the former England hooker, makes this claim in an interview with *The Times* which will reopen the debate about how the competitive, demanding rugby of the 1990s can live within the game's amateur code.

Brain said that clubs made provision for package deals to entice players by establishing "slush" funds of up to £30,000 a year. He said that cash demanded by some players to switch clubs started at £50 a week and went up to £200; "signing-on" fees were as high as £5,000.

Brain won 13 England caps between 1984 and 1986; now, aged 37, he is the full-time licensee of the bar at Rugby club, was club captain last year and is a member of the first team in the Courage Clubs Championship first division.

Brain admitted he was part of a head-hunting squad established at Rugby to attract quality players. He said the practice was widespread in English rugby. Such activities exploited the grey areas in the amateur code so blatantly, according to Brain, that the hypocrisy convinced him that spelling out the

facts of how the secret system worked was the only way to hasten its demise.

"You have a situation now in the game where, even at junior clubs, the best players are being offered money and cars to go to another club," Brain said. "Everybody knows what is going on, everybody is talking about it. The whole thing is a sham."

"The Rugby Football Union (RFU) has investigated several clubs, looking for evidence. It has been to our club twice. But it's wasting its time looking for evidence because it will never find it. It should come clean and say, 'Of course, it is happening and we can do nothing.'"

"We should get on with the current situation but bring it out into the open. These under-the-counter payments are bringing the whole game into disrepute."

Brain revealed how many clubs set out to attract leading players. He said he knew the names of many players guilty of taking large financial rewards. He added: "I could have revealed those names to Twickenham except that I have no documentary proof, which is required if you are to name names. There is no proof and there can

**Peter Bills looks at the contentious issue of cash inducements in English rugby union which a former England player says are rife in the game**

never be any, because nobody is going to list fees paid to players in the treasurer's report at the AGM."

Brain conceded that Rugby, where his full-time employment has been approved by the RFU, had put together deals for jobs and accommodation for certain players. The value to the players would probably be between £20,000 and £30,000. Brain himself was contacted by Rugby while he was coaching in the United States and was a Coventry player. He was offered a job, and a car that went with the position.

To offer a player a straight financial benefit would breach the amateur code. But offering employment with no mention of money is a widespread practice. The thin dividing line is regarded with scorn throughout the game.

Brain said: "I would be absolutely amazed if there was a first division club in England not doing this. Most clubs are having to sit down at some stage to put money

aside for recruitment. Perhaps for two decent players you would need at least £30,000 a year.

"You haven't got any choice: everybody is looking after their own interests and it is a lifeblood. We have to compete like everyone else for the top players and those players are getting greedy."

Many clubs now have sizable financial turnovers. Rugby generates around £350,000 from their clubhouse, so their business as a whole has income of close to £500,000 a year. Harlequins estimate a gross income of £500,000, while the English champions, Bath, anticipate £750,000 this year.

Bath's secretary, Clive Howard, said: "Quite soon, we will reach £1 million a year, and it could even be this year. There is a lot more money coming into the game from all sorts of sources. And it was the Rugby Football Union that brought the money into the game in the first

case. What does it expect?"

The competitions bring intense pressure. Brain said: "A rugby club now in the first division is all about business. Two things are inevitable from that situation. One is that clubs will spend to ensure they stay there and the other is that money is going into players' pockets."

Brain outlined the standard practice for recruitment. First, a player was targeted, often by a wealthy member who wished to support the club. "Those business individuals won't throw money in for someone else in the club to do what they want," Brain said. "They want some input into how their money is going to be spent."

Next, the player is then asked if he would join the club. Brain said: "You go to them, and the first thing the player says is, 'How much are you talking about?' Then they ask what else is involved. A job, a car, help to get a mortgage is usually mentioned. Rugby has had associations with building companies and that has helped."

For every loyal player in English rugby, Brain said, there were three or four who would go for the cash. "The top sum alleged to have been offered in a leading England player to switch clubs was £15,000. But

that was a while ago and I dread to think what sort of sums are involved now."

Brain's views found support from Tony Russ, the Leicester club's director of coaching. Russ said that one of the forwards on the England development tour of New Zealand this year had demanded an illegal inducement from Leicester to join them. "He simply said to us 'I need a car'," Russ said. "All I will say is that the player is not with Leicester."

"I know the situation is quite serious in this respect. We do not pay anyone anything because people want to join us, knowing we can help them become successful. But in other, less fashionable clubs, there has to be a good reason for going there and the good reason is not always apparent."

The new RFU president, Danie Serfontein, said before the season that Twickenham had been close to unearthing evidence against two clubs supposed to have been involved in such practices. But Serfontein conceded that essential information had proved beyond the RFU's grasp. The severe penalties are little deterrent to clubs and players, they know it is virtually impossible to be apprehended.

## Offiah is passed fit to face Australia in final

By Christopher Irvine

WORRIES about whether Martin Offiah will play in the rugby league World Cup final against Australia partially receded yesterday after he passed a fitness test. However, the Great Britain wing will continue to receive treatment for a troublesome hamstring before the match at Wembley on Saturday.

Offiah's speed on the wing has been curtailed this season by a recurrence of the injury and additional knee tendon problems. He has completed only five full matches so far. His right thigh was heavily strapped during yesterday's squad training session at Headingley, where he displayed his customary fluency

without reaching flat-out pace. To the relief of Malcolm Reilly, the Great Britain coach, a twinge felt by Offiah was the only injury problem that emerged from Sunday's uncompromising Lancashire Cup final win by Wigan at St Helens. Although visibly tired, the ten other participants reported no problems.

Graham Steadman also passed a fitness test, but the full back is continuing to have treatment to an ankle strain. Reilly may promote either Alan Tait or Joe Lydon, should Steadman not be ready in time for tomorrow's team announcement. The Australians will announce their final line-up today.

## Brady anxious to score away goal in Uefa Cup tie

## Germans dismiss Celtic threat

FROM RODDY FORSYTH  
IN DORTMUND

CELATIC may have disposed of German opposition when they beat Cologne to reach the second round of the Uefa Cup, but their credentials have not been accepted as impressive by Borussia Dortmund, the team they face in the Westfalen stadium tonight.

Celtic arrived here yesterday to discover that the Dortmund camp had been candidly dismissive of Celtic's chances. Frank Mill, Dortmund's experienced midfielder player, said yesterday: "We are looking to win 2-0 here and I am sure we can do that. Unlike Cologne, we won't lose that lead, and you must also remember that there is a national thing involved in this because two British sides have just knocked out two German sides, so we are very anxious to get our own back."

"We know all about Celtic and there is not much to fear apart from McStay, who is a very important player, and Creaney in attack. A good result in this game is in our hands and I do not see it slipping out of them."

Many a manager would congratulate themselves on good fortune for such an assertion by an opponent, but even if Liam Brady uses it to incite his players as they leave the dressing-room tonight, the Celtic manager was prepared to offer a degree of corroboration yesterday.

"I've always said you need experience to go on to the highest level in Europe, and you can only get that when you put a number of games behind you," he said. "I found that out when I was with Arsenal, Inter Milan and Juventus."

"We have a young team, and although the players will have learned something from the games against Cologne last time, Borussia are a much more impressive team and I would agree that they are favourites."

Under such circumstances it is only natural for the manager to turn to his more experienced campaigners to stabilise the side during what promises to be a rough passage this evening, but he is handi-



Experience essential: Gillespie, left, is likely to partner Mowbray in the Celtic midfield against Dortmund

capped by Galloway's suspension and the prolonged back injury sustained by Wdowczyk. He will therefore almost certainly look to Gillespie to partner Mowbray in central defence, an opportunity which the former Liverpool defender intends to seize.

"Possibly I feel a little rusty because I have played in the reserves for the past three games and it remains to be seen how we will handle this game, but I feel I am still the best to play alongside Tony Mowbray," Gillespie said.

"When I last played in the first team, against Partick Thistle, it probably looked as though their winning goal

was my fault but I know what I can do. If the boss feels that Mike Galloway should play alongside Tony Mowbray so be it but things change from week to week and now I am in I mean to stay in."

Since Mowbray will play and Bonner will also start, Celtic Brady has to choose between Slater and Payton, both of whom are counted as foreigners. The indications are that Payton will be confined to watching a game which Brady feels will call for a carefully calibrated degree of forward play by his team.

Dortmund's foreign players are most likely to worry Brady. Stephane Chapuisat, of Swit-

zerland, who gave Scotland so many problems in their World Cup qualifier last month, is the top scorer in the German League. He, Flemming Poulsen, the Dane, and Mill form a lethal front line.

Dortmund, who also have the speed and guile of Michael Rummenigge, the German international, in midfield, have climbed to fifth in the German League.

Brady said: "Like us, they sometimes give away daft goals and I'm hoping we'll sneak at least one because we certainly can't expect to survive another 2-0 defeat."

Leeds prepare, page 38

## Gascoigne to return

PAUL Gascoigne will play at White Hart Lane for the first time in 18 months tomorrow, for Lazio in the second leg of the Capital Cup.

Lazio, are likely to field all four of their foreign players. Gascoigne, Thomas Doll and Karl-Heinz Riedle, of Germany, and Aron Winter, of Holland.

Tottenham trail 3-0 from the first leg three weeks ago, when Gascoigne scored in his first game since he was injured in the 1991 FA Cup final.

Stewart heeds  
censure

By Ivo Tennant

DEREK Newton, the Surrey chairman, yesterday warned the captain, Alec Stewart, that he would be held responsible for any further incidents of ball-tampering next summer. In the aftermath of its fine by the Test and County Cricket Board (TCCB), the club made it clear to all its players that anybody found culpable could be dismissed.

"The club has admitted to four incidents of ball-tampering in the past three seasons, for which it was given a suspended fine of £1,000, but said yesterday that its committee of enquiry had failed to discover which players had broken Law 42. "If this continues and is hidden in the mist, then the captain will carry the can," Newton said.

Stewart, who will be the England vice-captain on their forthcoming tour of India, is expected to be reappointed as the Surrey captain in December. He has accepted the recommendation of the three-man committee of enquiry that, in future, the players should hand the ball to the umpire for inspection at the end of each over and at the fall of every wicket. Surrey wants every county to adopt this.

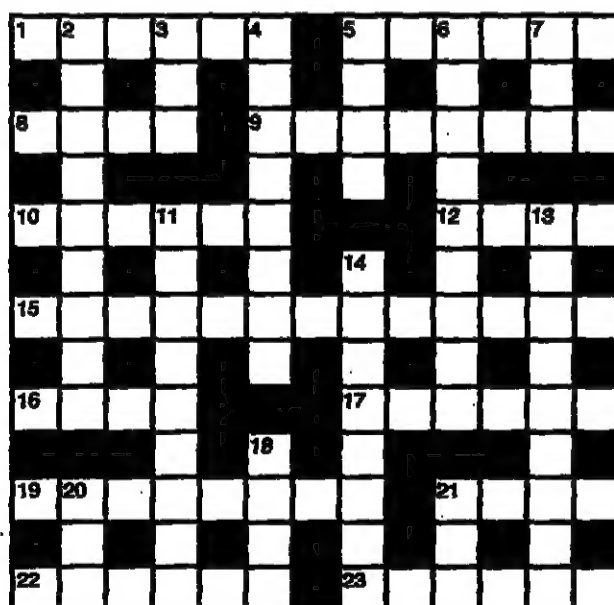
Stewart has also agreed to produce a report for the club's senior management at the end of each match. This must include detail of any warnings from the umpires.

"Since the umpires will be inspecting the ball regularly, there will be no time for anyone with dirty fingers to use them," Newton said. Surrey, which took legal advice before deciding to write to all its players, is to ask the TCCB to give umpires power to impose immediate sanctions.

The International Cricket Council (ICC) is to investigate criticism of English umpiring by Salim Malik, the Pakistan vice-captain. "If these remarks are verified, they are a direct violation of our code of conduct. He is throwing it back in our faces," Sir Colin Cowdrey, the ICC chairman, said yesterday.

Happy Houghton, page 38

## CONCISE CROSSWORD NO 2923



## ACROSS

- 1 Jewish greeting (6)
- 2 Loose throat skin (6)
- 3 Pavement edge (4)
- 4 Awful (5)
- 10 Specimen (6)
- 12 Gratification (4)
- 13 Fish stew (13)
- 14 Body powder (4)
- 17 Tired (6)
- 19 Lymph node cancer (8)
- 21 Thrash (4)
- 22 Bonbons (6)
- 23 Over there (6)

## DOWN

- 2 Blood clot swelling (9)
- 3 Scientist's workshop (3)
- 4 Closely protective (8)
- 5 Gloomy (4)
- 6 "Old folk" (9)
- 7 Piercing tool (3)
- 11 Morality (9)
- 13 Cooking dish (9)
- 14 Death notice (8)
- 18 Trees, roses growth (4)
- 20 Bow wood (3)
- 21 Merriment (3)

## SOLUTIONS TO NO 2922

ACROSS: 1 Held for ransom, 8 Pilot, 9 Croquet, 10 Ink, 11 Clang, 12 Outpace, 14 Oxygen, 16 Clitic, 20 De facto, 23 Fichu, 24 Bee, 25 Initial, 26 Roust, 27 Confectionery.

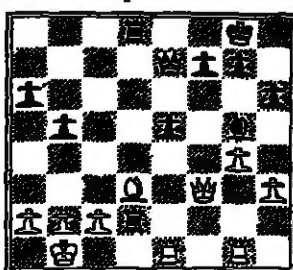
DOWN: 1 Hypochondria, 2 Lullaby, 3 Fatigue, 4 Reaction, 5 Ailment, 6 Saviour, 7 Mother country, 13 Feet, 15 Gosh, 17 Inferno, 18 Recluse, 19 Job lot, 21 Feign, 22 Clive.

## WINNING MOVE

By Raymond Keene, Chess Correspondent

This position is from the game Grigkevich - Szachy, Bagneux 1981. White's bishop on d3 looks like a solid defensive piece. Black's next move proved otherwise. What did he play?

Solution below.



Solution: The bishop was removed with 1... Rxd3 and after 2... Qd3 White was in a losing position.

CROSSWORD ENTHUSIASTS: For mail order details of all Times Crossword Books and The Times Computer Crossword software for beginners or experts (runs on most PCs), telephone Akom Ltd on 081 852 4575 Mon-Fri after 4pm or weekends. Postage free until Christmas (applies UK only).

## Graf means to enjoy herself

By Andrew Longmore, Tennis Correspondent

THE international indoor tennis season in Britain begins today and ends on Sunday. To put it another way, the transfer of the traditional men's event from Birmingham to Antwerp has left the Midland Bank championships in Brighton as the only top-level event inside Britain and outside summer.

According to John Feaver, tournament director of the LTA, there is no point throwing good money after bad in a vain attempt to persuade mediocre players to entertain a public which believes that tennis starts and ends with Wimbledon fortnight.

The difficulty for Feaver is that Wimbledon apart, Britain is not a thriving market.

As he roams the player lounges of the world, he cannot brandish the LTA's cheque book in the sure knowledge that a sponsor will pick up the final bill. "If you want to get the best players, you have to get into the market place," he said. "It's like walking into Marks and Spencers, you can choose what colour you like and what style if you have the money, you get them."

"But players also like the quaint and traditional values of our tournaments."

This is one reason why Steffi Graf continues to return to one of her more profitable haunts year after year. Graf, the No.1 seed, who opens the defence of her

£350,000 Midland Bank title against Larisa Savchenko-Nelid today, does not really need the winner's cheque of £70,000, nor another title. She simply likes the town and enjoys the tournament. Having won 25 consecutive matches here - and five titles - since 1985, she must come to regard the week as more business than serious business.

Mary Joe Fernandez, a Wimbledon semi-finalist, heads the challengers, who include Jana Novotna, Anke Huber and Magdalena Maleeva, the youngest of the three sisters, who will be working with Graf's former coach, Pavel Slozil, for the first time this week.

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